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## Title 7—AGRICULTURE

### Chapter VII—Commodity Stabilization Service (Farm Marketing Quotas and Acreage Allotments), Department of Agriculture

#### PART 727—MARYLAND TOBACCO

##### National Marketing Quota

Proclamation of a national marketing quota for Maryland tobacco for the three marketing years beginning October 1, 1960, and announcement and apportionment of the national marketing quota for Maryland tobacco for the 1960-61 marketing year.

##### § 727.1101 Basis and purpose.

(a) Sections 727.1101 and 727.1102 are issued (1) to establish the reserve supply level and the total supply of Maryland tobacco for the marketing year beginning October 1, 1959; (2) to proclaim a national marketing quota for Maryland tobacco for each of the three marketing years beginning October 1, 1960; (3) to announce the amount of the national marketing quota for Maryland tobacco for the marketing year beginning October 1, 1960; and (4) to apportion the quota for the marketing year beginning October 1, 1960 among the several States. The findings and determinations by the Secretary contained in § 727.1102 have been made on the basis of the latest available statistics of the Federal Government, and after due consideration of data, views, and recommendations received from Maryland tobacco producers and others as provided in a notice (24 F.R. 8237) given in accordance with the Administrative Procedure Act (5 U.S.C. 1003).

(b) Since the Agricultural Adjustment Act of 1938, as amended, requires the holding of a referendum of Maryland tobacco growers within 30 days after issuance of the proclamation of a national marketing quota for such kind of tobacco to determine whether such producers favor marketing quotas, it is hereby found that compliance with the 30-day effective date provision of the Administrative Procedure Act is impracticable and contrary to the public interest.

Therefore, the proclamation, and the announcement and apportionment of the national marketing quota for Maryland tobacco for the 1960-61 marketing year, contained herein shall become effective upon the date of filing with the Director, Division of the Federal Register.

§ 727.1102 Findings and determinations with respect to the amount of the national marketing quota for Maryland tobacco the marketing year beginning October 1, 1960.<sup>1</sup>

(a) *Reserve supply level.* The reserve supply level for Maryland tobacco is 95.2 million pounds, calculated as provided in the Agricultural Adjustment Act of 1938, as amended, from a normal year's domestic consumption of 25.5 million pounds and a normal year's exports of 12.5 million pounds.

(b) *Total supply.* The total supply of Maryland tobacco for the marketing year beginning October 1, 1959, is 98.2 million pounds, consisting of estimated carry-over of 65.0 million pounds and estimated 1959 production of 33.2 million pounds.

(c) *Carry-over.* The estimated carry-over of Maryland tobacco on January 1, 1961 is 59.9 million pounds, calculated by subtracting the estimated disappearance for the marketing year beginning October 1, 1959 of 38.3 million pounds from the total supply of such tobacco.

(d) *National marketing quota.* Pursuant to section 312(a)(4) of the Act, a national marketing quota for each of the three marketing years beginning October 1, 1960, October 1, 1961, and October 1, 1962, respectively, is hereby proclaimed, since it is determined that a marketing quota for Maryland tobacco for the marketing year beginning October 1, 1959 was previously proclaimed (24 F.R. 637) and is not in effect because of disapproval by producers in a referendum held pursuant to section 312(c) of the Act (24 F.R. 2271), and such producers have not disapproved national marketing quotas for Maryland

<sup>1</sup> Rounded to the nearest tenth of a million pounds, except that the national marketing quota is rounded to the nearest hundredth of a million pounds.

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tobacco in referenda held in three successive years subsequent to 1952. The amount of Maryland tobacco which will make available during the marketing year beginning October 1, 1960, a supply of Maryland tobacco equal to the reserve supply level of such tobacco is 35.3 million pounds, and a national marketing quota of such amount is hereby announced. It is determined, however, that a national marketing quota in the amount of 35.3 million pounds would cause undue restriction of marketings during the 1960-61 marketing year and such amount is hereby increased by 20 percent. Therefore, the amount of the national marketing quota for Maryland tobacco in terms of the total quantity of tobacco which may be marketed during the marketing year beginning October 1, 1960, is 42.36 million pounds.

(e) *Apportionment of the quota.* The national marketing quota is hereby apportioned among the several States pursuant to section 313(a) of the Agricultural Adjustment Act of 1938, as amended, and converted into State acreage allotments in accordance with section 313(g) of the Act as follows:

State	Acreage allotment
Maryland	48,763.49
Virginia	33.44
Delaware	0.13
Reserve <sup>1</sup>	61.07

<sup>1</sup> Acreage reserved for establishing allotments for new farms.

(Sec. 375, 52 Stat. 66, as amended; 7 U.S.C. 1375. Interpret or apply secs. 301, 312, 313,

52 Stat. 38, as amended; 46 as amended; 47 as amended; 7 U.S.C. 1301, 1312, 1313)

Issued at Washington, D.C., this 4th day of January 1960.

TRUE D. MORSE,  
Acting Secretary.

[F.R. Doc. 60-117; Filed, Jan. 4, 1960; 1:00 p.m.]

## Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

### HANDLING OF MILK IN CERTAIN MARKETING AREAS

#### Determination of Equivalent Prices for Grade AA (93-Score) and Grade A (92-Score) Butter at Chicago

Part	
903	St. Louis, Missouri.
905	Mississippi Delta.
906	Oklahoma Metropolitan.
907	Milwaukee, Wisconsin.
908	Central Arkansas.
911	Texas Panhandle.
912	Dubuque, Iowa.
913	Greater Kansas City.
916	Upstate Michigan.
917	Black Hills, South Dakota.
918	Memphis, Tennessee.
919	Southwest Kansas.
921	Ozarks.
923	Appalachian.
924	Detroit, Michigan.
925	Puget Sound, Washington.
928	Neosho Valley.
929	Eastern South Dakota.
930	Toledo, Ohio.
931	Cedar Rapids-Iowa City.
932	Fort Wayne, Indiana.
935	Omaha-Lincoln-Council Bluffs.
941	Chicago, Illinois.
942	New Orleans, Louisiana.
943	North Texas.
944	Quad Cities.
946	Louisville, Kentucky.
948	Sioux City, Iowa.
949	San Antonio, Texas.
952	Austin-Waco, Texas.
954	Duluth-Superior.
956	Sioux Falls-Mitchell, South Dakota.
963	Great Basin.
965	Cincinnati, Ohio.
966	Northern Louisiana.
967	South Bend-La Porte-Elkhart, Ind.
968	Wichita, Kansas.
971	Dayton-Springfield, Ohio.
972	Tri-State.
974	Columbus, Ohio.
975	Northeastern Ohio.
976	Fort Smith, Arkansas.
977	Paducah, Kentucky.
978	Nashville, Tennessee.
980	Western Colorado.
982	Central West Texas.
985	Muskegon, Michigan.
986	Red River Valley.
987	Central Mississippi.
988	Knoxville, Tennessee.
991	Rockford-Freeport, Illinois.
994	Colorado Springs-Pueblo.
995	North Central Ohio.
998	Corpus Christi, Texas.
1000	Chattanooga, Tennessee.
1002	Wheeling, West Virginia.
1004	Central Arizona.
1005	North Central Iowa.
1008	Inland Empire.
1009	Clarksburg, West Virginia.
1011	Michigan Upper Peninsula.
1012	Bluefield.
1013	Platte Valley.
1014	Mississippi Gulf Coast.
1016	Northeastern Wisconsin.
1018	Southeastern Florida.
1023	Des Moines, Iowa.

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and to the applicable provisions of the orders, as amended, regulating the handling of milk in the aforesaid milk marketing areas (7 CFR Part 900), hereinafter referred to as the "orders" it is hereby found and determined as follows:

(1) Inasmuch as the daily wholesale selling prices for Grade AA (93-score) and Grade A (92-score) butter on the Chicago market, as reported by the Dairy and Poultry Market News Service, Agricultural Marketing Service, United States Department of Agriculture, and employed in the orders as factors in the formulas for computing the class prices and butterfat differentials, are not available on a number of days during the period from November 25 through December 25, 1959, and the averages of the limited number of daily prices reported are not representative of such prices for the month of December 1959 or for any continuous 30-day period between November 25 and December 25, 1959, it is hereby determined that the equivalent price for Grade AA (93-score) butter at Chicago for December 1959 shall be 61.98 cents and the equivalent price for Grade A (92-score) butter at Chicago shall be 61.87 cents for December 1959, 62.96 cents for the period November 25 through December 24, 1959, and 62.86 cents for the period November 26 through December 25, 1959.

(2) Notice of proposed rule making, public procedure thereon and 30 days prior notice to the effective date hereof are impractical, unnecessary and contrary to the public interest, in that (a) the daily wholesale selling prices for Grade AA (93-score) and Grade A (92-score) butter on the Chicago market have not been reported by the Dairy and Poultry Market News Service, Agricultural Marketing Service, United States Department of Agriculture, on a number of days during the period from November 25 through December 31, 1959, and the averages of the limited number of daily prices reported are not representative of such prices for the month of December 1959 or for any continuous 30-day period between November 25 and December 25, 1959; (b) the determination of an equivalent price immediately is necessary to make possible the announcement of the minimum class prices and butterfat differentials under the orders in valuing producer milk received by handlers during the months of December 1959 and January 1960; (c) an essential purpose of this determination is to give all interested persons notice that the averages of Grade AA (93-score) and Grade A (92-score) butter prices reported by the Dairy and Poultry Market News Service for December 1959 or for any continuous 30-day period between November 25, and December 25, 1959, are not being used for the purpose of the price computations required in connection with the computation of class prices and butterfat differentials under the aforesaid orders; and (d) this determination does not require substantial or extensive preparation of any person.

Issued at Washington, D.C., this 31st day of December, 1959.

CLARENCE L. MILLER,  
Assistant Secretary.

[F.R. Doc. 60-89; Filed, Jan. 5, 1960;  
8:50 a.m.]

[Milk Order 63]

## PART 963—MILK IN GREAT BASIN MARKETING AREA

### Order Suspending Certain Provision

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Great Basin marketing area (7 CFR Part 963), it is hereby found and determined that:

(a) The following provision of the order, does not tend to effectuate the declared policy of the Act:

In § 963.11(a) the provision "(1) there are disposed of on routes fluid milk products equal to not less than 50 percent of the total of receipts at the plant of milk from dairy farmers meeting the inspection requirements described in § 963.7, milk diverted pursuant to § 963.7 by the handler operating the plant, and other fluid milk products qualified for distribution for fluid consumption received at the plant, and (2)".

(b) Notice of proposed rule making, public procedure thereon, and 30 days notice of effective date hereof are impractical, unnecessary, and contrary to the public interest in that:

(1) This suspension order does not require of persons affected substantial or extensive preparation prior to the effective date.

(2) This suspension order is necessary to reflect current marketing conditions and to maintain orderly marketing conditions in the marketing area.

(3) This suspension order is necessary to insure that all plants which are primarily associated with the Great Basin market will retain pool plant status.

(4) This suspension order was requested by producers associations representing more than two-thirds of all producers on the market.

(5) A public hearing was held at Salt Lake City, Utah, on December 15, 1959, at which evidence was presented in support of an order amendment which would provide substantially the same relief as provided by this suspension order. Time does not permit the detailed analysis of this record and the issuance of an appropriate amendment to the order. This suspension action will provide interim relief until such time as an appropriate amendment to the order can be made.

Therefore, good cause exists for making this order effective January 1, 1960.

It is therefore ordered, That the aforesaid provision of the order is hereby suspended effective January 1, 1960.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 601-674)

Issued at Washington, D.C., this 30th day of December 1959.

CLARENCE L. MILLER,  
Assistant Secretary.

[F.R. Doc. 60-82; Filed, Jan. 5, 1960;  
8:48 a.m.]

## Title 6—AGRICULTURAL CREDIT

### Chapter III—Farmers Home Administration, Department of Agriculture

#### SUBCHAPTER D—SOIL AND WATER CONSERVATION LOANS

[FHA Instructions 442.1 and 442.4]

#### PART 351—POLICIES AND AUTHORITIES

#### PART 354—PROCESSING LOANS TO ASSOCIATIONS

#### Miscellaneous Amendments

1. Paragraph (g) in § 351.3 of Title 6, Code of Federal Regulations (20 F.R. 1966), is hereby amended to read as follows:

#### § 351.3 Loans to associations.

(g) *Loan approval authority.* State Directors are authorized to approve Soil and Water Conservation loans to associations provided the borrower's principal indebtedness for Soil and Water Conservation loans (including prior Water Facilities loans) will not exceed \$250,000.

(Sec. 6, 50 Stat. 870, sec. 10, 68 Stat. 735; 16 U.S.C. 590w, 16 U.S.C. 590x-3; Order of Acting Sec. of Agr., 19 F.R. 74, 22 F.R. 8188)

#### § 354.5 [Amendment]

2. Paragraph (a) (2) in § 354.5 of Title 6, Code of Federal Regulations (20 F.R. 7213), is hereby revoked.

(Sec. 6, 50 Stat. 870, sec. 10, 68 Stat. 735; 16 U.S.C. 590w, 16 U.S.C. 590x-3; Order of Acting Sec. of Agr., 19 F.R. 74, 22 F.R. 8188)

Dated: December 29, 1959.

H. C. SMITH,  
Acting Administrator,  
Farmers Home Administration.

[F.R. Doc. 60-91; Filed, Jan. 5, 1960;  
8:50 a.m.]

## Title 14—AERONAUTICS AND SPACE

### Chapter III—Federal Aviation Agency

#### SUBCHAPTER C—AIRCRAFT REGULATIONS

[Regulatory Docket No. 202; Amdt. 74]

#### PART 507—AIRWORTHINESS DIRECTIVES

#### Lockheed 188A and 188C Aircraft

Service experience has established that the propeller deicing power transfer relays installed on Lockheed 188A and 188C aircraft have failed. It is necessary

in the interests of safety to require corrective action.

In view of the foregoing, the Administrator found that a situation existed requiring immediate action in the interest of safety, that notice and public procedure thereon were impracticable and contrary to the public interest, and that good cause existed for taking immediate corrective action. Accordingly, an airworthiness directive was adopted on December 8, 1959, and made effective immediately as to all known operators of Lockheed 188 aircraft by individual telegrams dated December 8, 1959. Subsequently, a means was developed to return the propeller electrical deicing system to operative status. This provision is now incorporated in the airworthiness directive, which is hereby published as an amendment to § 507.10(a), (14 CFR Part 507), and shall become effective upon the date of its publication in the FEDERAL REGISTER.

LOCKHEED. Applies to all Lockheed Model 188A and 188C aircraft.

Compliance required as indicated.

Continuing investigation of the propeller deicing power transfer relay has shown the design of the relay is such that properly tightened terminals cannot be assured for a practical interval of time due to cold flowing of plastic relay body.

Upon arrival at the next station where maintenance personnel are available, deactivate the propeller deicing system by pulling the control circuit breaker on the main and essential direct current bus at the forward load center. Placard the propeller deicing system inoperative.

On arrival at main base disconnect 8-gage power wires from the priority A and B bus to the propeller deicing power relay. Tape and stow at priority bus end.

With the propeller deicing system deactivated, aircraft may be dispatched into known icing conditions if Icx compound (B. F. Goodrich Company Adhesive Depressant No. 6) is applied to all propeller blade fairing heater boots and spinners under the following conditions: After initial application, Icx compound shall be reapplied after cumulative exposure to not more than six hours precipitation during flight or after 50 hours elapsed time, whichever occurs first.

(Lockheed Alert Bulletin No. 403 wired to all operators on November 27, 1959, covers this same subject.)

The propeller electrical deicing system may be returned to operative status when the original propeller ice control relay (Lockheed P/N 613649-1, Leach P/N 9202-4516) has been removed and a new relay (Lockheed P/N 613422-17, Hartman B124-GL) has been installed in the circuit and physically located in the main transfer relay box in a manner approved by an authorized representative of the Administrator. When the propeller electrical deicing system has been reactivated in this manner, Icx compound will no longer be required for aircraft dispatching into known icing conditions.

(Lockheed Alert Bulletin No. 403 wired to all operators on November 27 covers the deactivation of the original Leach relay and the use of Icx compound. Lockheed 188 Service Bulletin No. 403, effective December 15, 1959, describes a satisfactory and approved means of installing the replacement Hartman relay.)

This amendment shall be effective immediately.

(Sec. 313(a), 601, 603; 72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on December 29, 1959.

E. R. QUESADA,  
Administrator.

[F.R. Doc. 60-39; Filed, Jan. 5, 1960;  
8:45 a.m.]

## Title 16—COMMERCIAL PRACTICES

### Chapter I—Federal Trade Commission

[Docket 7545 c.o.]

#### PART 13—DIGEST OF CEASE AND DESIST ORDERS

##### Associated Loan Counsellors

Subpart—Advertising falsely or misleadingly: § 13.15 *Business status, advantages, or connections*: Connections or arrangements with others; Financing activities; Service; § 13.185 *Refunds, repairs, and replacements*; § 13.205 *Scientific or other relevant facts*; § 13.225 *Services*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, H. James van Buskirk et al. doing business as Associated Loan Counsellors, Chicago, Ill., Docket 7545, Nov. 12, 1959]

*In the Matter of H. James van Buskirk and Sonia Lee van Buskirk, Copartners Trading and Doing Business as Associated Loan Counsellors*

This proceeding was heard by a hearing examiner on the complaint of the Commission charging two individuals in Chicago with misrepresenting the services they offered in helping businessmen to obtain loans by such false claims as that they would obtain a loan within a short period of time and at, or at less than, a specified rate of interest; that they were agents of financing institutions and were authorized to approve loans on their behalf; that upon payment of a fee they would quickly get customers even larger loans than applied for; and that they would refund the fee if no loan was obtained.

After acceptance of an agreement providing for entry of a consent order, the hearing examiner made his initial decision and order to cease and desist which became on November 12 the decision of the Commission.

The order to cease and desist is as follows:

*It is ordered*, That respondents H. James van Buskirk and Sonia Lee van Buskirk, copartners trading and doing business as Associated Loan Counsellors, or under any other name or names, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the advertising of or offering for sale or sale of their services in obtaining loans or financial assistance for businessmen or others, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from representing, directly or by implication, that:

1. Respondents will obtain a loan within a specified or short period of

time; or in any period of time that is not in accordance with the fact;

2. A loan will be obtained at or at less than a specific rate of interest;

3. Respondents can or will obtain larger loans than the loans sought by applicant;

4. Respondents are the agents of financing institutions, or are authorized by such institutions to approve loans;

5. If respondents accept the contract, the applicant is assured of receiving the loan;

6. Respondents will refund all or part of the fee paid in the event that a loan is not obtained.

By "Decision of the Commission", etc., report of compliance was required as follows:

*It is ordered*, That the respondents herein shall within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: November 12, 1959.

By the Commission.

[SEAL] ROBERT M. PARRISH,  
Secretary.

[F.R. Doc. 60-56; Filed, Jan. 5, 1960;  
8:47 a.m.]

[Docket 7370 c.o.]

#### PART 13—DIGEST OF CEASE AND DESIST ORDERS

##### Bart Schwartz International Textiles, Ltd., et al.

Subpart—Invoicing products falsely: § 13.1108 *Invoicing products falsely*: Wool Products Labeling Act. Subpart—Misbranding or mislabeling: § 13.1190 *Composition*: Wool Products Labeling Act. Subpart—Neglecting, unfairly or deceptively, to make material disclosure: § 13.1852 *Formal regulatory and statutory requirements*: Wool Products Labeling Act.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended, secs. 2-5, 54 Stat. 1128-1130; 15 U.S.C. 45, 68-68(c)) [Cease and desist order, Bart Schwartz International Textiles, Ltd., et al., New York, N.Y., Docket 7370, Nov. 11, 1959]

*In the Matter of Bart Schwartz International Textiles, Ltd., a Corporation, and Bart Schwartz and Louis Rudolph, Individually and as Officers of Said Corporation*

This proceeding was heard by a hearing examiner on the complaint of the Commission charging New York City distributors with violating the Wool Products Labeling Act by falsely labeling and invoicing fabrics as containing variously 100%, 95%, 90%, 80%, and 70% wool fibers, and by failing in other respects to conform to requirements of the Act.

After acceptance of an agreement containing consent order, the hearing examiner made his initial decision and order to cease and desist which became

on November 11 the decision of the Commission.

The order to cease and desist is as follows:

*It is ordered*, That the respondents, Bart Schwartz International Textiles, Ltd., a corporation, and its officers, and Bart Schwartz and Louis Rudolph, individually and as officers of said corporation, and said respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction or manufacture for introduction into commerce, or the offering for sale, sale, transportation or distribution in commerce, as "commerce" is defined in the Federal Trade Commission Act and the Wool Products Labeling Act of 1939, of fabrics or other wool products, as such products are defined in and subject to the Wool Products Labeling Act of 1939, do forthwith cease and desist from misbranding such products by:

1. Falsely or deceptively stamping, tagging, labeling, or otherwise identifying such products as to the character or amount of the constituent fibers included therein;

2. Failing to securely affix or place on each such product a stamp, tag, label or other means of identification showing in a clear and conspicuous manner:

(a) The percentage of the total fiber weight of such wool products exclusive of ornamentation not exceeding 5 percentum of said total fiber weight of (1) wool, (2) reprocessed wool, (3) reused wool, (4) each fiber other than wool where said percentage by weight of such fiber is 5 percentum or more, and (5) the aggregate of all other fibers;

(b) The maximum percentage of the total weight of such products of any non-fibrous loading, filling or adulterating matter;

(c) The name or the registered identification number of the manufacturer of such wool product or of one or more persons engaged in introducing such wool product into commerce, or in the offering for sale, sale, transportation, distribution or delivery for shipment thereof in commerce, as "commerce" is defined in the Wool Products Labeling Act of 1939;

3. Failing to stamp, tag or label samples, swatches or specimens of wool products, which are used to promote or effect sales of such wool products in commerce with the information required under Paragraph 2 hereof, as provided by Rule 22 of the Rules and Regulations promulgated under the Wool Products Labeling Act of 1939.

*It is further ordered*, That the respondent Bart Schwartz International Textiles, Ltd., a corporation, and Bart Schwartz and Louis Rudolph, individually and as officers of said corporation, and respondents' representatives, agents and employees, directly or through any other corporate device, in connection with the offering for sale, sale or distribution of fabrics or other merchandise in commerce, do forthwith cease and desist from misrepresenting the constituent fibers of which their products are composed or the percentages thereof in invoices, shipping memoranda or in any other manner.

By "Decision of the Commission", etc., report of compliance was required as follows:

*It is ordered*, That respondents Bart Schwartz International Textiles, Ltd., a corporation, and Bart Schwartz and Louis Rudolph, individually and as officers of said corporation, shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: November 10, 1959.

By the Commission.

[SEAL] ROBERT M. PARRISH,  
Secretary.

[F.R. Doc. 60-57; Filed, Jan. 5, 1960;  
8:47 a.m.]

## Title 19—CUSTOMS DUTIES

### Chapter I—Bureau of Customs, Department of the Treasury

[T.D. 55017]

#### PART 16—LIQUIDATION OF DUTIES

##### Conversion of Currency; Designation of Italy as Quarterly Rate Country

The addition of Italy to the list of countries whose currencies are converted for customs purposes on the basis of the rates of exchange first certified by the Federal Reserve Bank of New York for a day in each calendar quarter should enable importers in the preparation of entries for goods exported during the quarter and customs officers in the appraisements and liquidations to employ such exchange rate for the Italian lira throughout the calendar quarter.

The list of countries set forth at the end of paragraph (d) of § 16.4 of the Customs Regulations is amended to include "Italy" effective commencing January 1, 1960.

Notice of the proposed designation was published in the FEDERAL REGISTER on December 5, 1959 (24 F.R. 9785), pursuant to section 4 of the Administrative Procedure Act (5 U.S.C. 1003). The delayed effective date requirements are dispensed with because the amendment, principally relating to actions to be taken by customs officers, can be expected to obtain beneficial results for the affected importers and others concerned.

(R.S. 251, secs. 522, 624, 46 Stat. 739, as amended, 759; 19 U.S.C. 66, 1624, 31 U.S.C. 372)

RALPH KELLY,  
Commissioner of Customs.

Approved: December 31, 1959.

A GILMORE FLUES,  
Acting Secretary of the Treasury.

[F.R. Doc. 60-148; Filed, Jan. 5, 1960;  
8:50 a.m.]

## Title 26—INTERNAL REVENUE, 1954

### Chapter I—Internal Revenue Service, Department of the Treasury

[T.D. 6442]

#### PART 301—PROCEDURE AND ADMINISTRATION

##### Authority To Prescribe or Modify Seals

The Regulations on Procedure and Administration under section 7514, relating to authority to prescribe or modify seals, are amended as follows:

PARAGRAPH 1. Section 301.7514-1(a) (2) (ii) is amended—

(A) By striking "District Director of Internal Revenue, Kansas City, Kans." and inserting after "District Director of Internal Revenue, Jackson, Miss." the following: "District Director of Internal Revenue, Kansas City, Mo."

(B) By striking "District Director of Internal Revenue, Lower Manhattan, New York, N.Y." and "District Director of Internal Revenue, Upper Manhattan, New York, N.Y." and inserting in lieu thereof "District Director of Internal Revenue, Manhattan, New York, N.Y."

(C) By striking "District Director of Internal Revenue, Columbus, Ohio." and "District Director of Internal Revenue, Toledo, Ohio."

PAR. 2. The amendments made by paragraph 1 (B) and (C) are effective January 1, 1960.

Because this Treasury decision relates to regulations which constitute a general statement of policy and establish rules of Departmental practice and procedure, it is hereby found that it is unnecessary to issue this Treasury decision with notice and public procedure thereon under section 4(a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4(c) of that Act.

(Sec. 7805 of the Internal Revenue Code of 1954 (68A Stat. 917; 26 U.S.C. 7805))

DANA LATHAM,  
Commissioner of Internal Revenue.

Approved: December 30, 1959.

DAVID A. LINDSAY,  
Acting Secretary of the Treasury

[F.R. Doc. 60-65; Filed, Jan. 5, 1960;  
8:48 a.m.]

## Title 33—NAVIGATION AND NAVIGABLE WATERS

### Chapter II—Corps of Engineers, Department of the Army

#### PART 203—BRIDGE REGULATIONS

##### Norwalk River, Conn.

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499),

§ 203.145 governing the operation of the highway and railroad bridges across Norwalk River at Norwalk, Connecticut, is hereby amended changing the closed periods for the Washington Street highway bridge, revising paragraph (d) (1), as follows:

§ 203.145 Norwalk River at Norwalk, Conn.; Washington Street Highway bridge and the New York, New Haven and Hartford Railroad bridge.

(d) *Exceptions.* (1) The highway bridge: Closed periods, when the draw need not be opened except on Saturdays, Sundays, and holidays and except for vessels drawing at the time more than 14 feet of water:

Between 7:00 a.m. and 8:45 a.m.  
Between 11:45 a.m. and 1:15 p.m.  
Between 4:00 p.m. and 6:00 p.m.

[Regs., December 17, 1959, 285/91 (Norwalk River, Conn.)—ENGWO] (Sec. 5, 28 Stat. 362; 33 U.S.C. 499)

R. V. LEE,  
Major General, U.S. Army,  
The Adjutant General.

[F.R. Doc. 60-38; Filed, Jan. 5, 1960;  
8:45 a.m.]

## Title 43—PUBLIC LANDS: INTERIOR

### Chapter I—Bureau of Land Manage- ment, Department of the Interior

#### APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 2039]

[80575]

#### CALIFORNIA

##### Power Site Restoration No. 549; Partly Revoking Power Site Reserve No. 560 of October 30, 1916; Opening Certain Lands Under Section 24, Federal Power Act

By virtue of the authority vested in the President by section 1 of the act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), and pursuant to Executive Order No. 10355 of May 26, 1952, and by virtue of the authority vested in the Secretary of the Interior by section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818), as amended, pursuant to determinations DA-946 and DA-951—California of the Federal Power Commission issued May 19, 1958, and September 25, 1958, respectively, it is ordered as follows:

1. The Executive order of October 30, 1916 establishing Power Site Reserve No. 560 is hereby revoked so far as it affects the following-described lands:

MOUNT DIABLO MERIDIAN

T. 12 N., R., 9 W.,  
Sec. 14, N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , and SW $\frac{1}{4}$ SE $\frac{1}{4}$ .

The area described contains 160 acres which have been patented.

2. Subject to any valid existing rights, and the requirements of applicable law,

the following described lands are hereby opened to filing of applications, selections and locations in accordance with the following, and subject to the provisions of section 24 of the said Federal Power Act, as amended:

**MOUNT DIABLO MERIDIAN**

- T. 12 N., R. 8 W.,  
 Sec. 19, lots 1, 2, and SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 30, lot 2.  
 T. 12 N., R. 9 W.,  
 Sec. 13, S $\frac{1}{2}$ S $\frac{1}{2}$ ;  
 Sec. 14, SW $\frac{1}{4}$ NW $\frac{1}{4}$  and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 15, NE $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , and NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 23, N $\frac{1}{2}$ NE $\frac{1}{4}$  and NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 Sec. 24, N $\frac{1}{2}$ N $\frac{1}{2}$  and SE $\frac{1}{4}$ SE $\frac{1}{4}$ .

The areas described aggregate approximately 891 acres.

a. Applications and selections under the nonmineral public land laws, may be presented to the Manager mentioned below, beginning on the date of this order. Such applications and selections will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs:

(1) Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

(2) All valid applications and selections under the nonmineral public land laws presented prior to 10:00 a.m. on February 4, 1960, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

b. The lands have been open to mining location pursuant to the provisions of the act of August 11, 1955 (69 Stat. 682; 30 U.S.C. 621), and to applications and offers under the mineral leasing laws.

3. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims. Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

4. The State of California has waived the preference right of application granted to it by subsection (c) of section 2 of the Act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 851, 852). It has also waived its preference rights under the Act of May 28, 1948 (62 Stat. 725; 16 U.S.C. 818).

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Sacramento, California.

ROGER ERNST,  
*Assistant Secretary of the Interior.*

DECEMBER 30, 1959.

[F.R. Doc. 60-59; Filed, Jan. 5, 1960; 8:48 a.m.]

## Title 47—TELECOMMUNICATION

### Chapter I—Federal Communications Commission

[Docket No. 12295; FCC 59-1325]

#### PART 11—INDUSTRIAL RADIO SERVICES

#### PART 16—LAND TRANSPORTATION RADIO SERVICES

##### Narrow-Band Technical Standards

In the matter of amendment of Parts 10, 11 and 16 of the Commission's rules to change the effective date of narrow-band technical standards in the 25-50 and 152-162 Mc bands; Docket No. 12295.

1. The (first) Report and Order in this proceeding, released June 30, 1958, and published in the *FEDERAL REGISTER* of July 3, 1958 (23 F.R. 5088) specifies, inter alia, that: Subsequent to the date when the deviation of "wide-band" equipment is required to be reduced so as not to exceed that specified in the "narrow-band" standards, the Commission will not consider that interference caused to "wide-band" receivers constitutes "harmful interference."

2. On July 9, 1959, the Commission released a Further Notice of Proposed Rule Making in this proceeding, which was published in the *FEDERAL REGISTER* of July 14, 1959 (24 F.R. 5660). This Further Notice proposed to implement the above-quoted provision of the first Report and Order in this proceeding by changing the previously established requirements regarding frequency coordination so as to specify that, in the Industrial and Land Transportation Radio Services only, in all cases where the Commission's rules governing the particular service involved require frequency coordination in the 25-50 or 150-162<sup>1</sup> Mc bands, such coordination will be required only with respect to stations operating on frequencies removed 15 kc or less (rather than 30 kc or less) from any frequency proposed to be used by the applicant. The time for filing of both original and reply comments in regard to the proposed new rule changes has now expired.

3. Comments were received from the City of San Diego (California) Department of Public Works, the General Electric Company (GE), the Electronic Industries Association (EIA), the Special Industrial Radio Service Association (SIRSA), the National Committee for Utilities Radio (NCUR), and the Central Committee on Radio Facilities of the American Petroleum Institute (API). In general, all comment concurred with the Commission's proposal that the present frequency coordination be no longer required with respect to stations operating on frequencies in the specified bands 30 kc removed from the frequency desired by a particular applicant. They differed, however, in the extent of such concurrence. The City of San Diego, GE, EIA, and NCUR supported the proposal as originally stated, while SIRSA recommended that 20 kc be substituted

<sup>1</sup> In the Industrial Radio Services this band is 150-174 Mc.

for the 30 kc figure in the present frequency coordination requirements, and the API recommended that in addition to a requirement that co-channel assignments be coordinated up to 75 miles separation, such coordination be required up to 35 miles separation at 15 kc or less spacing, and up to 15 miles at 30 kc or less, in the Industrial Radio Services.

4. The recommendation of SIRSA appears to be based on the opinion that, under the proposed revision, in the Land Transportation and Industrial Radio Services, frequency coordination would not be required with respect to frequencies 15 kc or more removed from the frequency proposed to be used. Since it was the original intention of the Commission in this proceeding to specify such coordination with respect to frequencies 15 kc or less removed from the frequency being coordinated, the rule amendments adopted herewith are reworded to clarify that point. The recommendation, that coordination be required with respect to all frequencies less than 20 kc, is not adopted in view of the slight difference in its practical effect from that reached herein, and for the additional reasons discussed below.

5. The suggestions of the API appear to be based on the conclusion that the Commission's proposal would eliminate all but co-channel coordination in the services concerned. As indicated above, this is not the case. Accordingly, the first suggestion of the API, that frequencies removed by not more than 15 kc be required to be coordinated to a distance of 35 miles, agrees with the intent of the Commission in the instant proposal insofar as the Industrial Radio Services are concerned and need not be further discussed. However, the second suggestion made by the API, that frequencies removed by more than 15 kc but not more than 30 kc should be required to be coordinated to a distance of at least 15 miles, is not adopted. As indicated in the Further Notice of Proposed Rule Making in this proceeding, the Commission is fully aware that some geographical spacing of stations is also necessary when they are separated in frequency by 30 kc or even by 120 kc or 300 kc. The actual amount of such geographical spacing, however, appears to be dependent on such factors as the effective radiated power of the stations concerned, the type of intervening terrain, receiver desensitization characteristics, etc. To make provision in the rules of the Commission for all of such cases, beyond the basic adjacent-channel problem, would appear to be both impracticable and unnecessary. It is the considered opinion of the Commission that the matter of combined geographical and frequency separation between stations is primarily a problem which should be considered by the applicant, his engineering advisors, and any frequency advisory committee which proposes to assist him in his selection of a frequency. With this view, a concurring statement of the NCUR seems to agree.

6. The City of San Diego Department of Public Works recommended that, in addition to the proposed changes in the Industrial and Land Transportation

Radio Services, the same changes should be made with respect to stations in the Public Safety Radio Services at the time all stations in those services are required to reduce the deviation of all transmitters in the 25-50 and 150-162 Mc bands to meet the new "narrow-band" standards (August 1, 1960). No action is being taken on this recommendation at this time, however it will be considered at such time as similar rule making with respect to the Public Safety Radio Services appears appropriate.

7. In connection with the amendment of § 16.9 of the rules governing the Land Transportation Radio Services, it is noted that a reference to that section contained in § 16.8 was not corrected at the time the former text of § 16.9 was redesignated and amended by the addition of what is now paragraph (b) thereof. Accordingly, the amendments adopted at this time include an editorial amendment correcting the reference contained in § 16.8(f) (2) so that it refers to § 16.9 (a) (3) instead of § 16.9(c), which was the previous designation of the same text. Since this amendment is editorial in nature, prior notice of proposed rule making thereon is unnecessary and it may be made effective at any time.

8. In view of the foregoing and other information available to it, the Commission concludes that the public interest, convenience and necessity will be served by the adoption of the rule amendments, substantially as proposed in the Further Notice of Proposed Rule Making in this proceeding. Authority for the amendments herein ordered is contained in sections 4(i) and 303 of the Communications Act of 1934, as amended.

9. Accordingly, it is ordered, That effective February 15, 1960, Part 11 (Industrial Radio Services) and Part 16 (Land Transportation Radio Services) of the Commission's rules are amended as set forth below.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U.S.C. 303)

Adopted: December 29, 1959.

Released: December 30, 1959.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] MARY JANE MORRIS,  
Secretary.

A. Part 11 (Industrial Radio Services) is amended as follows:

1. Amend paragraph (a) (2) of § 11.8 by substituting the phrase "15 kc or less from the requested frequency" for the phrase "within 30 kc of the requested frequency" in the second sentence thereof.

As amended, § 11.8(a) (2) reads as follows:

§ 11.8 Policy governing the assignment of frequencies.

(a) \* \* \*

(2) Frequency coordination when required by the provisions of this section may be accomplished by the submission of a report, based on a field study, indicating the degree of probable interference to existing stations operating in the same area. The report shall consider all stations operating on the re-

quested frequency within 75 miles of the proposed station, and all stations operating on any adjacent frequency 15 kc or less from the requested frequency and within 35 miles of the proposed station. Further, the applicant shall submit a statement under oath that all existing licensees within the frequency and mileage limits contained herein have been notified of the applicant's intention to request the particular frequency.

B. Part 16 (Land Transportation Radio Services) is amended as follows:

1. Amend subparagraphs (1) and (2) of § 16.8(f) by substituting the phrase "15 kc or less from the frequency or frequencies" for the phrase "within 30 kc of the frequency or frequencies" in subparagraph (1) thereof, and by correcting the reference to § 16.9 contained in subparagraph (2) thereof to read "§ 16.9 (a) (3)". As amended, §§ 16.8(f) (1) and (2) read as follows:

§ 16.8 Policy governing the assignment of frequencies.

\* \* \*

(f) \* \* \*

(1) Secondary frequencies become generally available for assignment on November 1, 1963; however, assignment may be made prior to that date in those cases where both (i) the equipment to be used meets the technical standards effective November 1, 1963, and (ii) the applicant coordinates the selection of each secondary frequency in accordance with the procedure set forth in § 16.9 with respect to all frequencies assigned to stations in the same or other services 15 kc or less from the frequency or frequencies requested in the application.

(2) Tertiary frequencies are available for assignment on a case-by-case basis, at the discretion of the Commission, when the equipment to be used meets the technical standards effective November 1, 1963: *Provided*, That either (i) a satisfactory showing is made that operation on the requested tertiary frequency will result in the least interference to existing stations of other licensees operating within local interference range on frequencies within the frequency band involved, or (ii) such assignment is recommended to the Commission in accordance with the provisions of § 16.9(a) (3).

2. Amend paragraph (a) (1) of § 16.9 by substituting the phrase "15 kc or less from the frequency" for the phrase "within 30 kc of the frequency" in the last sentence thereof. As amended, § 16.9(a) (1) reads as follows:

§ 16.9 Frequency coordination.

(a) \* \* \*

(1) A statement, including an engineering survey, if necessary, which sets forth the technical and other considerations in support of the selection of the particular frequency requested. The Commission expects that the applicant will notify the licensees of all known stations in the same or other services located within the local interference range of the proposed station location and operating on any frequency 15 kc or less from the frequency proposed to be used

by the applicant, of the applicant's intention to request that frequency.

[F.R. Doc. 60-78; Filed, Jan. 5, 1960; 8:50 a.m.]

## Title 49—TRANSPORTATION

### Chapter I—Interstate Commerce Commission

[S.O. 928, Amdt. 2]

#### PART 95—CAR SERVICE

##### Indiana Harbor Belt Railroad Co. Authorized To Operate Over Certain Trackage of the Chicago Aurora and Elgin Railway Co.

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D.C., on the 30th day of December A.D. 1959.

Upon further consideration of Service Order No. 928 (24 F.R. 4995, 7404), and good cause appearing therefor:

It is ordered, That: Section 95.928 *Indiana Harbor Belt Railroad Company authorized to operate over certain trackage of the Chicago Aurora and Elgin Railway Company*, of Service Order No. 928, be, and it is hereby amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.* This section shall expire at 11:59 p.m., June 30, 1960, unless otherwise modified, changed, suspended, or annulled by order of this Commission.

Effective date: This amendment shall become effective at 11:59 p.m., December 31, 1959.

(Secs. 1, 12, 15, 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15. Interprets or applies secs. 1(10-17), 15(4), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4))

It is further ordered, That a copy of this amendment shall be served upon the Illinois Commerce Commission and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Division 3.

[SEAL] HAROLD D. McCoy,  
Secretary.

[F.R. Doc. 60-75; Filed, Jan. 5, 1960; 8:49 a.m.]

[S.O. 929, Amdt. 2]

#### PART 95—CAR SERVICE

##### Chicago, Burlington & Quincy Railroad Co. Authorized To Operate Over Certain Trackage of Chicago Aurora and Elgin Railway Co.

At a session of the Interstate Commerce Commission, Division 3, held at its

office in Washington, D.C., on the 30th day of December A.D. 1959.

Upon further consideration of Service Order No. 929 (24 F.R. 4995, 7404), and good cause appearing therefor:

*It is ordered, That:* Section 95.929 *Chicago, Burlington & Quincy Railroad Company authorized to operate over certain trackage of Chicago Aurora and Elgin Railway Company*, of Service Order No. 929, be, and it is hereby amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.* This section shall expire at 11:59 p.m., June 30, 1960, unless otherwise modified, changed, suspended, or annulled by order of this Commission.

Effective date: This amendment shall become effective at 11:59 p.m., December 31, 1959.

(Secs. 1, 12, 15, 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15. Interprets or applies secs. 1(10-17), 15(4), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4))

*It is further ordered, That* a copy of this amendment shall be served upon the Illinois Commerce Commission and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public

by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Division 3.

[SEAL] HAROLD D. McCoy,  
Secretary.

[F.R. Doc. 60-76; Filed, Jan. 5, 1960;  
8:49 a.m.]

[S.O. 930, Amdt. 2]

## PART 95—CAR SERVICE

**Chicago, Milwaukee, St. Paul and Pacific Railroad Co. Authorized To Operate Over Certain Trackage of the Chicago Aurora and Elgin Railway Co.**

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D.C., on the 30th day of December A.D. 1959.

Upon further consideration of Service Order No. 930 (24 F.R. 4994, 7405), and good cause appearing therefor:

*It is ordered, That:* Section 95.930 *Chicago, Milwaukee, St. Paul and Pacific Railroad Company authorized to operate over certain trackage of the Chicago Aurora and Elgin Railway Company*, of Service Order No. 930, be, and it is hereby amended by substituting the fol-

lowing paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.* This section shall expire at 11:59 p.m., June 30, 1960, unless otherwise modified, changed, suspended, or annulled by order of this Commission.

Effective date: This amendment shall become effective at 11:59 p.m., December 31, 1959.

(Secs. 1, 12, 15, 24 Stat. 379, 383, 384, as amended; 49 U.S.C. 1, 12, 15. Interprets or applies secs. 1(10-17), 15(4), 40 Stat. 101, as amended, 54 Stat. 911; 49 U.S.C. 1(10-17), 15(4))

*It is further ordered, That* copies of this amendment shall be served upon the Illinois Commerce Commission and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Division 3.

[SEAL] HAROLD D. McCoy,  
Secretary.

[F.R. Doc. 60-77; Filed, Jan. 5, 1960;  
8:50 a.m.]

## PROPOSED RULE MAKING

### DEPARTMENT OF THE INTERIOR

#### Bureau of Land Management

#### [ 43 CFR Parts 160, 161 ]

### GRAZING LEASES; FEDERAL RANGE CODE FOR GRAZING DISTRICTS

#### Compensation for Loss of Improvements and Restrictions in Gathering Unlicensed Horses and Burros From Public Lands

**Basis and purpose.** Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the Act of June 28, 1934 (48 Stat. 1269, 43 U.S.C. 315, 315a-315r), as amended and supplemented, it is proposed to amend and revise the regulations issued under the said act relating to compensation to lessees and permittees for loss of improvements placed on public lands and to ban the use of airplanes and motor vehicles in the gathering of unlicensed horses and burros from public lands, as set forth below. The purpose of these proposed changes is to amend the regulations so as to exclude State lieu selections from the requirement that the United States be reimbursed for such improvements, and to adjust the procedures for the enforcement of rules and regulations to conform with recent legislation.

No. 3—2

It is the policy of the Department of the Interior, wherever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed amendments to the Bureau of Land Management, Washington 25, D.C., within thirty days of the date of publication of this notice in the FEDERAL REGISTER.

ROGER ERNST,  
Assistant Secretary of the Interior.

DECEMBER 30, 1959.

1. Paragraph 160.12(a) is amended to read as follows:

§ 160.12 Lease lands subject to disposition; compensation to lessee for loss of improvements.

(a) Lands embraced in a grazing lease are subject to disposition under the provisions of the Act of June 28, 1934 (48 Stat. 1272, 1274), as amended, or other public land laws. Before any application for such disposition is allowed, evidence must be furnished that the applicant has agreed to compensate the lessee and the United States for any grazing improvements placed on the lands under the authority of the lease, permit, or cooperative agreement in an amount and manner to be mutually

agreed upon, except that if such improvements have been constructed in whole or in part with Federal funds and are administered by the Bureau of Land Management, and the application for disposal is in satisfaction of any lieu or indemnity selection right of any State under R.S. 2275, as amended (43 U.S.C. 851), such application may be allowed in the discretion of the authorized officer without compensation to the United States for its share of the value of the improvements, if the authorized officer shall first determine that the grazing improvements are no longer used or needed for the purpose for which the improvements were constructed and that the probable salvage value is insufficient to warrant the expense of removal of the salvageable materials in such improvements. If the parties are unable to agree as to the amount, manner, and time for compensation for such improvements, the amount, manner, and time shall be fixed by the authorized officer. The failure of the applicant to comply with the agreement or the conditions fixed by the authorized officer shall be just cause for cancellation of any right or interest in the lands acquired by the applicant by reason of the allowance of his application.

2. Paragraph 161.12(c) (2) is amended to read as follows:

### § 161.12 Procedure for enforcement of rules and regulations.

#### (c) *Unlawful grazing on Federal range; removal of livestock; impoundment.*

(2) In any case where the owner of the trespassing livestock, or his representative, is unknown, or where conservation of the Federal range and of the forage thereon requires it, the district manager when so authorized by order of the State Supervisor may take steps to remove the trespassing livestock by such methods and by such means not inconsistent with legislation which prohibits the use of airborne or motor-driven vehicles in the gathering of horses and burros, as may be necessary, and to dispose of them by sale or otherwise within not less than 48 hours after public notice of his intention to make such disposition, subject to the right of any owner or registered lien holder of such trespassing livestock to redeem the livestock within such nondisposal period upon payment of (i) the value of the forage consumed, (ii) damage to the Federal range and other property of the United States, and (iii) the cost of such impoundment and removal, as determined by the district manager.

3. Paragraph 161.15(g) (2) (i) is amended to read as follows:

### § 161.15 Construction and maintenance of improvements on the Federal range.

#### (g) *Applications for lands containing range improvements; compensation; reservation.*

(2) (i) When the disposal application covers public land upon which range improvements have been placed by the United States, or pursuant to a cooperative agreement heretofore or hereafter entered into between the Bureau and the licensee, permittee, and/or other co-operators, the disposal application will be referred by the land office manager to the district manager for determination as to whether it may be allowed, notwithstanding such improvements, and, if so, whether with or without a reservation. If the application is to be allowed without a reservation of the improvements, the applicant may be required to agree in writing to compensate for the loss of such improvements in the amounts to be mutually agreed upon and payable separately to the Bureau and to the co-operators, except that if such improvements have been constructed in whole or in part with Federal funds and are administered by the Bureau of Land Management, and the application for disposal is in satisfaction of any lien or indemnity selection right of any State under R.S. 2275, as amended (43 U.S.C. 851), such application may be allowed in the discretion of the authorized officer without compensation to the United States for its share of the value of the improvements, if the authorized officer shall first determine that the grazing improvements are no longer used or needed for the purpose for which the improvements were constructed and that

the probable salvage value is insufficient to warrant the expense of removal of the salvageable materials in such improvements. In the event of disagreement, the district manager shall determine the total amount of compensation due, as provided in paragraph (e) of this section, and the time for payment. Such amount shall then be payable separately to the Bureau and to the co-operators entitled thereto, in proportion to the amount or value of their respective contributions in money, material, or labor, to the total cost of the improvement, as made by them under the original cooperative agreement, as specified by the district manager.

[F.R. Doc. 60-58; Filed, Jan. 5, 1960; 8:47 a.m.]

## FEDERAL AVIATION AGENCY

### [ 14 CFR Part 600 ]

[Airspace Docket No. 59-FW-39]

## FEDERAL AIRWAYS

### Modification

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 600.6018 of the regulations of the Administrator, the substance of which is stated below.

VOR Federal airway No. 18 extends in part from Anniston, Ala., to Augusta, Ga. The Federal Aviation Agency has under consideration the modification of the Anniston to Augusta segment of Victor 18; revocation of the present south alternate from Anniston to Augusta; and the designation of a north alternate from Anniston to Augusta. This is part of a plan to increase the air traffic flow capabilities into and from the Atlanta terminal area, thereby facilitating air traffic management in this area. It is proposed to realign the segment of Victor 18 from Anniston to Augusta via the intersection of the Anniston VOR 099° and the Atlanta, VOR 267° radials, Atlanta, Ga., VOR; McDonough, Ga., VOR; the intersection of the McDonough VOR 088° and the Augusta VOR 263° radials to the Augusta VOR. A north alternate to Victor 18 from Anniston to Augusta would be designated via the intersection of the Anniston VOR 084° radial, and the Atlanta airport ILS localizer west course; Atlanta ILS localizer; and the intersection of the Atlanta ILS localizer east course and the Augusta 278° radial to the Augusta VOR. Victor 18 and Victor 18 north alternate as proposed herein would serve as dual airways for traffic operating between the Anniston VOR and the Augusta terminal area and would serve traffic arriving, departing and overflying the Atlanta terminal area. The control areas associated with Victor 18 are so designated that they would automatically conform to the modified airway. Accordingly, no amendment relating to such control areas would be necessary.

If this action is taken, the segment of VOR Federal airway No. 18 from Annis-

ton, Ala., to Augusta, Ga., would be redesignated from the Anniston VOR via the intersection of the Anniston VOR 099° and the Atlanta, Ga., VOR 267° radials to the Atlanta VOR; McDonough, Ga., VOR; and the intersection of the McDonough VOR 088° and the Augusta VOR 263° radials to the Augusta VOR. A north alternate to Victor 18 would be designated from the Anniston VOR via the intersection of the Anniston VOR 084° radial and the Atlanta airport ILS localizer west course; Atlanta ILS localizer; and the intersection of the Atlanta ILS localizer east course and the Augusta VOR 278° radial to the Augusta VOR. The south alternate of Victor 18 from Anniston to Augusta would be revoked.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Regional Administrator, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Administrator, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Administrator.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on December 29, 1959.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 60-46; Filed, Jan. 5, 1960; 8:46 a.m.]

### [ 14 CFR Part 600 ]

[Airspace Docket No. 59-FW-58]

## FEDERAL AIRWAYS

### Modification

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 600.6622 of the

regulations of the Administrator, the substance of which is stated below.

VOR Federal airway No. 1522 extends, in part, from Anniston, Ala., to Royston, Ga. The Federal Aviation Agency has under consideration the realignment of the segment of Victor 1522 between Anniston and Royston via the intersection of the Anniston VOR 099° and the Atlanta, Ga., VOR 267° radials, to the Atlanta VOR thence direct to the Royston VOR, so as to coincide with VOR Federal airway No. 18 between Anniston and Atlanta and VOR Federal airway No. 20 between Atlanta and Royston. This is part of a plan to increase air traffic flow capabilities in the Atlanta terminal area. It would also provide more precise navigational guidance over this segment of Victor 1522. The control areas associated with Victor 1522 are so designated that they would automatically conform to the modified airway. Accordingly, no amendment relating to such control areas is necessary.

If this action is taken, the segment of VOR Federal airway No. 1522 between Anniston, Ala., and Royston, Ga., would be redesignated via the Anniston VOR 099° and the Atlanta, Ga., VOR 267° radials to the Atlanta VOR, thence direct to the Royston VOR.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Regional Administrator, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Administrator, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Administrator.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on December 29, 1959.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 60-47; Filed, Jan. 5, 1960;  
8:46 a.m.]

## [ 14 CFR Part 601 ]

[Airspace Docket No. 59-NY-38]

### CONTROL ZONES

#### Designation

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to Part 601 of the regulations of the Administrator, the substance of which is stated below.

The Federal Aviation Agency has under consideration designation of a control zone at Fort Knox, Ky. At present, there is no control zone designated for the Godman AAF, at Fort Knox. The proposed control zone would be designated within a 5-mile radius of the Godman AAF, with an extension 2 miles either side of a line bearing 354° from the Fort Knox radio beacon extending from the radio beacon to a point 12 miles north of the radio beacon and excluding that portion which would overlie the Fort Knox Restricted Area (R-64). This control zone would provide protection to aircraft conducting approaches to and departing Godman AAF during instrument flight rule conditions.

If this action is taken, a control zone would be designated at Fort Knox, Ky., within a 5-mile radius of the Godman AAF, extending 2 miles either side of a line bearing 354° from the Fort Knox radio beacon to a point 12 miles north of the radio beacon excluding the portion which would overlie the Fort Knox, Ky., Restricted Area (R-64).

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Regional Administrator, Federal Aviation Agency, Federal Building, New York International Airport, Jamaica 30, N.Y. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Administrator, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Administrator.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on December 29, 1959.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 60-45; Filed, Jan. 5, 1960;  
8:46 a.m.]

## [ 14 CFR Part 601 ]

[Airspace Docket No. 59-FW-50]

### CONTROL AREAS

#### Modification of Extension

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 601.1046 of the regulations of the Administrator, the substance of which is stated below.

The Federal Aviation Agency has under consideration redesignating the Falfurrias, Tex., control area extension. The present Falfurrias control area extension includes that airspace within 5 miles on the northwest side and 15 miles on the southeast side of the southwest course of the Kingsville, Tex., radio range extending from the western boundary of VOR Federal airway No. 68 to a point 35 miles southwest of the Falfurrias radio beacon. The present Falfurrias control area extension is not adequate for the TACAN instrument approach and departure procedures for Kingsville Naval Air Station. The prescribed TACAN instrument approach procedure is based on the 219° radial of the Kingsville TACAN. The established departure procedure for Kingsville NAS is based on the 244° radial of the Kingsville TACAN. In order to provide protection for aircraft arriving and departing Kingsville NAS utilizing the above procedures, it is proposed to redesignate Falfurrias control area extension to include an area of approximately the same size as the present area but of modified dimensions consistent with the Kingsville TACAN arrival and departure procedures.

Inasmuch as the control area extension, as proposed, would be based on the Kingsville TACAN, it is proposed to change the name to the Kingsville control area extension concurrent with the modification of the control area extension.

If these actions are taken, the Falfurrias control area extension would be redesignated as the Kingsville, Tex., control area extension and would include that airspace bounded by a line parallel to and 5 miles north of the Kingsville Naval Air Station TACAN 244° radial extending from the western edge of VOR Federal airway No. 38 to latitude 27° 11'00" N., longitude 98°42'00" W, thence southerly to latitude 27°03'00" N., longitude 98°37'55" W, thence southeast to latitude 26°56'25" N., longitude 98°12'30" W., thence northeast parallel to and 5 miles southeast of the Kingsville Naval Air Station TACAN 219° radial to the

western edge of VOR Federal airway No. 68, thence northward along the western edge of VOR Federal airway No. 68 to the point of beginning.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Regional Administrator, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Administrator, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Administrator.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on December 29, 1959.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 60-44; Filed, Jan. 5, 1960;  
8:46 a.m.]

#### [ 14 CFR Parts 600, 601 ]

[Airspace Docket No. 59-FW-68]

### FEDERAL AIRWAYS AND CONTROL AREAS

#### Supplemental Notice; Modification

In a Notice of Proposed Rule Making published in the FEDERAL REGISTER on November 19, 1959 (24 F.R. 9345), it was stated that the Federal Aviation Agency proposed to designate an east alternate to VOR Federal airway No. 77 with associated control areas between Oklahoma City, Okla., and Ponca City, Okla., via the Oklahoma City VOR 021° and the Ponca City VOR 163° radials. Notice is hereby given that the original proposal is amended in that the Victor 77 east alternate and associated control areas between Oklahoma City and Ponca City under consideration by the Federal Aviation Agency would be designated via the Oklahoma City VOR 040° and the Ponca City VOR 180° radials.

In order to provide interested persons time to adequately evaluate this proposal, as modified herein, and an opportunity

to submit additional written data, views or arguments, the date for filing such material will be extended to January 20, 1960.

In consideration of the foregoing and pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), I hereby give notice that the time within which comments will be received for consideration on Airspace Docket No. 59-FW-68 is extended to January 20, 1960. Communications should be submitted in triplicate to the Regional Administrator, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex.

(Secs. 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354))

Issued in Washington, D.C., on December 29, 1959.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 60-48; Filed, Jan. 5, 1960;  
8:46 a.m.]

#### [ 14 CFR Parts 600, 601 ]

[Airspace Docket No. 59-FW-90]

### FEDERAL AIRWAYS AND CONTROL AREAS

#### Revocation of Federal Airway and Associated Control Areas and Designated Reporting Points

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to Parts 600 and 601 of the regulations of the Administrator, the substance of which is stated below.

Red Federal airway No. 10 presently extends from Dallas, Tex., to Meridian, Miss. The Federal Aviation Agency is considering revoking Red 10. A Federal Aviation Agency IFR peak day survey for the last half of calendar year 1958 and the first half of calendar year 1959 shows aircraft movements for these two periods for segments of the airway from Dallas to Hainsville, Tex., as 4 and 4 movements respectively, Hainsville, to Shreveport, La., as 6 and 6 movements respectively, Shreveport to Monroe, La., as 13 and 2 movements respectively, Monroe to Jackson, Miss., as 16 and 9 movements respectively and Jackson to Meridian as 23 and 2 movements respectively. On the basis of these surveys, it appears that the retention of this airway and its associated control areas is unjustified as an assignment of airspace and that the revocation thereof would be in the public interest.

Concurrent with this action the following designated reporting points on Red 10 would be revoked: Dallas non-directional radio beacon; Hainsville intersection; Shreveport radio range station; Monroe radio range station; and Meridian radio range station.

If this action is taken, Red 10, its associated control areas and designated reporting points would be revoked.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Regional Administrator, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Administrator, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Administrator.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on December 29, 1959.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 60-49; Filed, Jan. 5, 1960;  
8:46 a.m.]

#### [ 14 CFR Parts 600, 601 ]

[Airspace Docket No. 59-WA-438]

### FEDERAL AIRWAYS AND CONTROL AREAS

#### Modification of Federal Airway and Associated Control Areas

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to §§ 600.6194 and 601.6194 of the regulations of the Administrator, the substance of which is stated below.

VOR Federal airway No. 194 presently extends, in part, from Coffield, N.C., to Norfolk, Va. The Federal Aviation Agency has under consideration modification of Victor 194 by extending it from the Norfolk VOR via the Norfolk VOR 001° radial to the intersection with the Cape Charles, Va., VOR 313° radial, where it will terminate. This extension of Victor 194 would provide an additional airway route for aircraft departing the Norfolk area for terminals to the north and northwest.

If this action is taken, VOR Federal airway No. 194 and its associated control areas would be extended from Nor-

folk, Va., to the intersection of the Norfolk VOR 001° and the Cape Charles, Va., VOR 313° radials.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Regional Administrator, Federal Aviation Agency, Federal Building, New York International Airport, Jamaica 30, N.Y. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Administrator, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Administrator.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on December 29, 1959.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 60-50; Filed, Jan. 5, 1960;  
8:46 a.m.]

#### [ 14 CFR Part 602 ]

[Airspace Docket No. 59-FW-49]

#### CODED JET ROUTES

##### Revocation

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to Part 602 of the regulations of the Administrator, the substance of which is stated below.

L/MF jet route No. 27 presently extends from San Antonio, Tex., to Peoria, Ill. The Federal Aviation Agency has under consideration the revocation of this airway. The Federal Aviation Agency IFR peak-day survey for the period July 1, 1958, through June 30, 1959, shows less than two aircraft movements on Jet Route 27-L. On the basis of the survey, it appears that the retention of this jet route is unjustified as an assignment of airspace, and that the revocation thereof would be in the public interest. The route from San Antonio to

Peoria is adequately served by VOR/VORTAC jet route No. 27.

If this action is taken, L/MF jet route No. 27 from San Antonio, Tex., to Peoria, Ill., would be revoked.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Regional Administrator, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Administrator, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Administrator.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on December 29, 1959.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 60-40; Filed, Jan. 5, 1960;  
8:45 a.m.]

#### [ 14 CFR Part 602 ]

[Airspace Docket No. 59-WA-127]

#### CODED JET ROUTES

##### Modification

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 602.514 of the regulations of the Administrator, the substance of which is stated below.

VOR/VORTAC jet route No. 14 presently extends, in part, from Des Moines, Iowa, to Allentown, Pa. The Federal Aviation Agency has under consideration the modification of this segment of Jet Route 14-V by redesignating the airway to overlie VOR/VORTAC jet route No. 60 between Des Moines and Allentown. At present, Jet Route 14-V is either contiguous or closely parallel to Jet Route No. 60-V between Des Moines and Cleveland, Ohio. Jet Route 60-V extends in a northeasterly direction east of Cleveland, bypassing the Youngstown,

Ohio, Restricted Area/Military Climb Corridor (R-541). Redesignating Jet Route 14-V to overlie Jet Route 60-V would improve the route structure by combining adjacent routes, and permit the application of uniform air traffic management procedures for high altitude jet operations.

If this action is taken, the segment of VOR/VORTAC jet route No. 14 between Des Moines, Iowa, and Allentown, Pa., would be designated from the Des Moines VOR via the Joliet, Ill., VOR, the Cleveland, Ohio, VOR, the intersection of the Cleveland VOR 079° and the Allentown, Pa., VOR 288° radials, to the Allentown VOR.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Airspace Utilization Division. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on December 29, 1959.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 60-41; Filed, Jan. 5, 1960;  
8:45 a.m.]

#### [ 14 CFR Part 602 ]

[Airspace Docket No. 59-WA-176]

#### CODED JET ROUTES

##### Extension

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 602.531 of the regulations of the Administrator, the substance of which is stated below.

VOR/VORTAC jet route No. 31 is presently designated from Dallas, Texas, to Joliet, Ill. The Federal Aviation Agency proposes to extend this route to Northbrook, Ill. This would facilitate air traffic management by permitting northbound aircraft en route to Chicago,

Ill., to be cleared to the Northbrook VOR for transition to O'Hare International Airport, Chicago. At present, north-bound landing jet aircraft which cannot receive immediate descent clearance below 24,000 feet are normally required to hold at the Joliet VOR with the resultant congestion on VOR/VORTAC jet route No. 60 and delays to high altitude traffic overflying Chicago.

If such action is taken, VOR/VORTAC jet route No. 31 would be designated from the Dallas, Texas, VOR via the Texarkana, Ark., VOR; Flippin, Ark., VOR; St. Louis, Mo., VOR; Springfield, Ill., VOR; intersection of the Springfield VOR 036° and the Joliet, Ill., VOR 205° radials; Joliet, Ill., VOR; to the Northbrook, Ill., VOR.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Airspace Utilization Division. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C.

This amendment is proposed under Sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on December 29, 1959.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 60-42; Filed, Jan. 5, 1960;  
8:45 a.m.]

## [ 14 CFR Part 602 ]

[Airspace Docket No. 59-WA-345]

### CODED JET ROUTES

#### Modification

Pursuant to the authority delegated to me by the Administrator (§ 409.13, 24 F.R. 3499), notice is hereby given that the Federal Aviation Agency is considering an amendment to § 602.582 of the regulations of the Administrator, the substance of which is stated below.

VOR/VORTAC jet route No. 82 presently extends, in part, from Albany, N.Y., to Boston, Mass. The Federal Aviation

Agency has under consideration a modification to this segment of jet route 82-V by realigning it via the intersection of the Albany VOR 048° and the Boston VOR 307° radials. This modification would reduce the overall mileage and flying time on this route segment; and would permit a more suitably designated navigational change-over-point near the midpoint of this route segment, thereby improving navigational guidance.

If this action is taken, the segment of VOR/VORTAC jet route No. 82 between Albany, N.Y., and Boston, Mass., would be designated via the intersection of the Albany VOR 084° and the Boston VOR 307° radials.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Chief, Airspace Utilization Division. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B-316, 1711 New York Avenue NW., Washington 25, D.C.

This amendment is proposed under sections 307(a) and 313(a) of the Federal Aviation Act of 1958 (72 Stat. 749, 752; 49 U.S.C. 1348, 1354).

Issued in Washington, D.C., on December 29, 1959.

D. D. THOMAS,  
Director, Bureau of  
Air Traffic Management.

[F.R. Doc. 60-43; Filed, Jan. 5, 1960;  
8:45 a.m.]

## INTERSTATE COMMERCE COMMISSION

### [ 49 CFR Part 170 ]

[Ex Parte No. MC-37]

### LAKE CHARLES, LA., COMMERCIAL ZONE

#### Revision of Definition of Boundary

DECEMBER 31, 1959.

Pursuant to section 4(a) of the Administrative Procedure Act (60 Stat. 237, 5 U.S.C. 1003) notice is hereby given that, for the purpose of including additional points and areas, which by reason of industrial and other developments and

growth have become a part thereof, within the defined limits of the zone which is adjacent to and commercially a part of Lake Charles, La., within the meaning of section 203(b)(8) of the Interstate Commerce Act, the Interstate Commerce Commission, informed by experience and by an informal investigation, proposes to modify and redefine, as hereinafter indicated, the limits of the zone adjacent to and commercially a part of Lake Charles, La., as determined by the population-mileage formula prescribed in *Commercial Zones and Terminal Areas*, 46 M.C.C. 665, 49 CFR Part 170, and to revise the description of such zone limits to read as follows:

(a) The municipality of Lake Charles, La., itself;

(b) All points within a line drawn 4 miles beyond the corporate limits of Lake Charles, La.;

(c) All points in that area south and west of the line described in paragraph (b) of this section, bounded by a line, as follows: beginning at the point where the line described in paragraph (b) of this section intersects Louisiana Highway 385; thence south along Louisiana Highway 385 to its intersection with the Calcasieu-Cameron Parish line; thence west along the Calcasieu-Cameron Parish line to its intersection with Louisiana Highway 27; thence northerly along Louisiana Highway 27 to a point thereon 2 miles south of U.S. Highway 90; thence east along a line parallel to U.S. Highway 90 to Louisiana Highway 108; thence north along Louisiana Highway 108 to junction U.S. Highway 90; thence east along U.S. Highway 90 to the intersection thereof with the line described in paragraph (b) of this section;

(d) All of any municipality any part of which is within the limits of the combined areas in paragraphs (b) and (c) of this section; and

(e) All of any municipality wholly surrounded, or so surrounded except for a water boundary, by the City of Lake Charles or by any municipality included under the terms of paragraph (d) of this section.

No oral hearing is contemplated, but anyone wishing to make representations in favor of, or against, the above-proposed revision of the defined boundary of the Lake Charles, La., commercial zone, may do so by the submission of written data, views, or arguments. An original and five copies of such data, views, or arguments shall be filed with the Commission on or before February 24, 1960.

Notice to the general public of the action herein taken shall be given by depositing a copy of this notice in the office of the Secretary of the Commission for public inspection and by filing a copy thereof with the Director, Division of the Federal Register.

By the Commission, Division 1.

[SEAL] HAROLD D. McCOY,  
Secretary.

[F.R. Doc. 60-69; Filed, Jan. 5, 1960;  
8:49 a.m.]

## NOTICES

## DEPARTMENT OF THE TREASURY

## Office of the Secretary

[Treasury Dept. Order No. 167-43; CGFR 59-54]

## COMMANDANT, U.S. COAST GUARD

## Delegation of Functions

By virtue of the authority vested in me by Reorganization Plan No. 26 of 1950 and by 14 U.S.C. 631, there are transferred to the Commandant, U.S. Coast Guard, the functions vested in the Secretary of the Treasury by 10 U.S.C. 1163(c) (1), pertaining to the convening of disposition boards.

The Commandant may make provisions for the performance by subordinates in the Coast Guard of the functions delegated herein.

Dated: December 23, 1959.

[SEAL] A. GILMORE FLUES,  
*Acting Secretary of the Treasury.*[F.R. Doc. 60-66; Filed, Jan. 5, 1960;  
8:48 a.m.]

## DEPARTMENT OF AGRICULTURE

## Commodity Stabilization Service

[Amdt. II]

NOTICE OF ESTABLISHMENT OF  
AREAS OF VENUE FOR MARKET-  
ING QUOTA REVIEW COMMIT-  
TEES

Pursuant to section 3(a)(1) of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1002) which requires that the field organization be published in the FEDERAL REGISTER and § 711.11 of the Marketing Quota Review Regulations (21 F.R. 9365, 9716, 24 F.R. 10868) which provides for establishment of areas of venue for marketing quota review committees, notice is hereby given that the areas of venue established for Kansas (24 F.R. 1320) have been revised and established by the Kansas ASC State Committee as follows:

## Counties of:

Area I—Cheyenne, Decatur, Rawlins, Sheridan, Sherman, Thomas.

It is hereby determined that three review committees designated No. 1, No. 2, and No. 3, respectively, are required for Area of Venue I, State of Kansas, for 1960, because of the anticipated volume of applications for review in such area of venue, taking into consideration the need for prompt handling of applications for review, transportation problems, and the limit of 30-day service by review committeemen during their term of office. This determination is made in accordance with § 711.6 of the Marketing Quota Review Regulations (21 F.R. 9365, 9716, 24 F.R. 10868).

## Counties of:

Area II—Gove, Greeley, Logan, Scott, Wallace, Wichita.

Area III—Grant, Hamilton, Kearny, Morton, Stanton, Stevens.

Area IV—Finney, Gray, Haskell, Lane, Meade, Seward.

Area V—Clark, Edwards, Ford, Hodgeman, Kiowa, Pawnee.

Area VI—Barber, Comanche, Harper, Kingman, Pratt, Stafford.

Area VII—Barton, Ellis, Ness, Rush, Russell, Trego.

Area VIII—Graham, Norton, Osborne, Phillips, Rooks, Smith.

Area IX—Cloud, Jewell, Lincoln, Mitchell, Ottawa, Republic.

Area X—Dickinson, Ellsworth, Marion, McPherson, Rice, Saline.

Area XI—Cowley, Harvey, Reno, Sedgwick, Sumner.

Area XII—Butler, Chautauqua, Elk, Greenwood, Wilson, Woodson.

Area XIII—Chase, Geary, Lyon, Morris, Wabaunsee.

Area XIV—Clay, Marshall, Nemaha, Pottawatomie, Riley, Washington.

Area XV—Atchison, Brown, Doniphan, Jackson, Jefferson, Leavenworth.

Area XVI—Douglas, Franklin, Johnson, Osage, Shawnee, Wyandotte.

Area XVII—Allen, Anderson, Bourbon, Coffey, Linn, Miami.

Area XVIII—Cherokee, Crawford, Labette, Montgomery, Neosho.

Areas XIX through XXV—(All deleted).

(Sec. 3, 60 Stat. 238; 5 U.S.C. 1002. Interpret or apply sec. 363, 52 Stat. 63, as amended; 7 U.S.C. 1363)

Done at Washington, D.C., this 30th day of December 1959.

CLARENCE D. PALMBY,  
*Acting Administrator,*  
*Commodity Stabilization Service.*[F.R. Doc. 60-90; Filed, Jan. 5, 1960;  
8:50 a.m.]

## MARYLAND TOBACCO

## Notice of Referendum

Notice is hereby given that on February 2, 1960, a referendum will be held of farmers engaged in the production in 1959 of Maryland tobacco, pursuant to the provisions of the Agricultural Adjustment Act of 1938, as amended. Notice that consideration would be given to establishing a date for holding the referendum was given in 24 F.R. 8237. The purpose of the referendum is to determine whether the farmers voting favor national marketing quotas for each of the 1960-61, 1961-62, and 1962-63 marketing years for such kind of tobacco. The referendum will be conducted in accordance with the provisions of the Act and the Regulations Governing the Holding of Referenda on Marketing Quotas (23 F.R. 3432, 7285).

In order that arrangements for holding the referendum may be made in an orderly manner and as much advance notice as possible be given of the date of the referendum, it is essential that this notice be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the 30-day effective date requirement of section 4 of the Administrative

Procedure Act is impracticable and contrary to the public interest and this notice shall be effective upon filing of this document with the Director, Division of the Federal Register.

Issued at Washington, D.C., this 4th day of January 1960.

TRUE D. MORSE,  
*Acting Secretary.*[F.R. Doc. 60-116; Filed, Jan. 4, 1960;  
1:00 p.m.]

## DEPARTMENT OF COMMERCE

## Bureau of the Census

## SURVEYS

## Notice of Determination

In conformity with the Act of Congress approved August 31, 1954, 13 U.S.C. 181, and due notice having been published November 28, 1959 (24 F.R. 9555), pursuant to said Act, I have determined that annual data to be derived from the surveys listed below are needed to aid the efficient performance of essential governmental functions and have significant application to the needs of the public and industry and are not publicly available from nongovernmental or other government sources.

Report forms in most instances furnishing data on shipments and/or production and in some instances on stocks, unfilled orders, orders booked, consumption, etc., will be required of all establishments engaged in the production of the items covered by the following list of surveys with the exception of the Annual Survey of Manufactures which will be conducted on a sample basis and which calls for general statistical data such as employment, payroll, man-hours, capital expenditures, cost of materials consumed, etc., in addition to information on products shipped, and the lumber production and stocks survey which will also be conducted on a sample basis.

## ANNUAL SURVEY OF MANUFACTURES

Stocks of wool (as of January 1, 1960).  
Cotton and synthetic woven goods finished.  
Knit cloth.  
Woolen and worsted machinery activity.  
Yarn production.  
Gloves and mittens.  
Apparel.  
Softwood plywood.  
Softwood veneer.  
Red cedar shingles.  
Lumber.  
Paper and board—detailed grade.  
Sulfuric acid.  
Compressed and liquefied gases.  
Inorganic chemicals.  
Pressed and blown glassware.  
Steel mill products.  
Aluminum foil converted.  
Steel power boilers.  
Heating and cooking equipment.  
Internal combustion engines.  
Tractors.  
Farm machines and equipment.  
Radios, televisions, and phonographs.  
Mechanical stokers.  
Vending machines.

Refrigeration equipment.  
Office, computing, and accounting machines.

The following list of surveys represents annual counterparts of monthly, quarterly, and semi-annual surveys. The content of these annual reports will be identical with that of the monthly, quarterly, and semi-annual reports except for Construction Machinery which will additionally call for data on shipments of concrete mixers and parts and attachments for contractors' off-highway type tractors. However, there will be no duplication inasmuch as establishments that file the monthly, quarterly, and semi-annual reports during the year covered by the annual report will not need to submit annual reports on these products.

Flour milling products.  
Confectionery products.  
Broad woven goods (cotton, wool, silk, and synthetic).  
Consumption of wool and other fibers, and production of tops and nolls.  
Shoes and slippers.  
Hardwood plywood (for sale).  
Pulp, paper, and board.  
Consumers of wood pulp.  
Mattresses and bedsprings.  
Converted flexible packaging products.  
Superphosphate.  
Paint, varnish, and lacquer.  
Refractories.  
Clay construction products.  
Asphalt and tar roofing and siding products.  
Glass containers.  
Nonferrous castings.  
Plumbing fixtures.  
Steel shipping barrels, drums, and pails.  
Commercial and home canning closures.  
Metal cans.  
Construction machinery.  
Farm pumps.  
Fans, blowers, and unit heaters.  
Electric lamps.  
Fluorescent lamp ballasts.  
Complete aircraft and aircraft engines.  
Backlog of orders for aircraft companies.  
Aircraft propellers.

The report forms will be furnished to firms included in these surveys and additional copies are available on request to the Director, Bureau of the Census, Washington 25, D.C.

I have, therefore, directed that annual surveys be conducted for the purpose of collecting the data hereinabove described.

ROBERT W. BURGESS,  
*Director,*  
*Bureau of the Census.*

[F.R. Doc. 60-70; Filed, Jan. 5, 1960;  
8:49 a.m.]

#### Maritime Administration

#### NOTICE OF ADOPTION OF CONCLUSIONS AND DETERMINATIONS REGARDING MODIFICATION OF CERTAIN ESSENTIAL TRADE ROUTES

Notice is hereby given that the Acting Maritime Administrator has adopted as final the tentative conclusions and determinations regarding the Modification of Trade Routes Nos. 1, 2, 4, 5, 6, 7, 8, 9, 10, 12, 14, 15-A, 16, 17 and 18 and the

Essentiality of service between U.S. Atlantic ports and Canadian Atlantic and St. Lawrence River ports not west of the Montreal port area, as published in the FEDERAL REGISTER issue of December 10, 1959 (24 F.R. 10001).

Dated: December 29, 1959.

By order of the Acting Maritime Administrator.

JAMES L. PIMPER,  
*Secretary.*

[F.R. Doc. 60-35; Filed, Jan. 5, 1960;  
8:45 a.m.]

#### Office of the Secretary

JOHN ROBERT JONES

#### Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER.

A. Deletions: None.  
B. Additions: Republic Steel, Texaco, Getty Oil, Litton Industries, Briggs & Stratton.

Dated: December 14, 1959.

This statement is made as of December 14, 1959.

JOHN ROBERT JONES.

[F.R. Doc. 60-63; Filed, Jan. 5, 1960;  
8:48 a.m.]

#### SAM NORRIS

#### Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER.

A. Deletions: No change.  
B. Additions: No change.

This statement is made as of December 12, 1959.

Dated: December 14, 1959.

SAM NORRIS.

[F.R. Doc. 60-71; Filed, Jan. 5, 1960;  
8:49 a.m.]

#### ATOMIC ENERGY COMMISSION

[Docket No. 50-119]

#### ALCO PRODUCTS, INC.

#### Notice of Issuance of Facility License Amendment

Please take notice that the Atomic Energy Commission has issued Amendment No. 1, set forth below, to License No. CX-14. The license has been issued to Alco Products, Incorporated, and authorizes operation of the licensee's crit-

ical experiments facility located at Schenectady, New York. The Commission has found that operation of the facility in accordance with the terms and conditions of the license, as amended, will not present any undue hazard to the health and safety of the public and will not be inimical to the common defense and security.

The Commission has found that prior public notice of proposed issuance of this amendment is not necessary in the public interest since the operation of the facility as proposed does not present any substantial changes in the hazards to the health and safety of the public from those presented by the previously approved operation of the facility.

In accordance with the Commission's rules of practice (10 CFR Part 2), the Commission will direct the holding of a formal hearing on the matter of the issuance of the license amendment upon receipt of a request therefor from the licensee or an intervener within thirty days after issuance of the license amendment. Such request should be addressed to the secretary at the AEC's offices in Germantown, Maryland, or to the AEC's Public Document Room, 1717 H Street NW., Washington, D.C. For further details, see (1) the application for license amendment dated August 31, 1959, submitted by Alco Products, Incorporated, and (2) a hazards analysis of the proposed operation prepared by the Hazards Evaluation Branch of the Division of Licensing and Regulation, both on file at the Commission's Public Document Room. A copy of item (2) above may be obtained at the Commission's Public Document Room or upon request addressed to the Atomic Energy Commission, Washington 25, D.C., Attention: Director, Division of Licensing and Regulation.

Dated at Germantown, Md., this 29th day of December 1959.

For the Atomic Energy Commission.

H. L. PRICE,  
*Director, Division of*  
*Licensing and Regulation.*

[License No. CX-14; Amdt. 1]

In addition to the activities previously authorized by the Commission in License No. CX-14, Alco Products, Incorporated, is authorized (1) to bypass the Log-N and period scram circuit during steady-state operation of the critical experiments facility if there is an electronic malfunction in the circuit to determine what corrective action is necessary and, (2) providing all other operating circuits, including the Log-N and scram period circuit, are functioning properly, to operate the facility with a minimum of two linear amplifiers in the power level scram circuit in accordance with the procedures described in the licensee's application for license amendment dated August 31, 1959, and the conditions and limitations set forth in paragraph 4 of License No. CX-14.

This amendment is effective as of the date of issuance.

Date of issuance: December 29, 1959.

For the Atomic Energy Commission.

H. L. PRICE,  
*Director, Division of*  
*Licensing and Regulation.*

[F.R. Doc. 60-36; Filed, Jan. 5, 1960;  
8:45 a.m.]

[Docket No. 50-13]

**BABCOCK & WILCOX CO.****Notice of Issuance of Facility License Amendment**

Please take notice that the Atomic Energy Commission has issued Amendment No. 5, set forth below, to License No. CX-1. The amendment authorizes The Babcock & Wilcox Company, as requested in its application for license amendment dated November 30, 1959, to conduct the Nuclear Merchant Ship Critical Experiments with a full loading of production N.S. "Savannah" fuel elements and with complete or partial replacement of presently used control rods with production rods for the N.S. "Savannah" in the company's Critical Experiment Laboratory located near Lynchburg, Virginia. The amendment also authorizes the licensee to make certain changes in the core support structure for the critical assembly. The Commission has found that operation of the facility in accordance with the terms and conditions of the license, as amended, will not present any undue hazard to the health and safety of the public and will not be inimical to the common defense and security.

The Commission has found that prior public notice of proposed issuance of this amendment is not necessary in the public interest since the conduct of the proposed experiments does not present any substantial changes in the hazards to the health and safety of the public from those presented by the previously approved operation of the facility.

In accordance with the Commission's rules of practice (10 CFR Part 2) the Commission will direct the holding of a formal hearing on the matter of the issuance of the license amendment upon receipt of a request therefor from the licensee or any intervener within thirty days after issuance of the license amendment. Requests for formal hearing should be addressed to the Secretary at the AEC's Offices at Germantown, Maryland, or to the AEC's Public Document Room, 1717 H Street NW., Washington, D.C. For further details, see (1) the application for license amendment dated November 30, 1959, submitted by The Babcock & Wilcox Company and (2) a hazards analysis of the proposed experiments prepared by the Hazards Evaluation Branch of the Division of Licensing and Regulation, both on file at the AEC's Public Document Room. A copy of Item (2) above may be obtained at the AEC's Public Document Room or upon request addressed to the Atomic Energy Commission, Washington 25, D.C., Attention: Director, Division of Licensing and Regulation.

Dated at Germantown, Md., this 29th day of December 1959.

For the Atomic Energy Commission.

H. L. PRICE,  
Director, Division of  
Licensing and Regulation.

[License No. CX-1; Amdt. 5]

In addition to the activities previously authorized by the Commission in License No. CX-1, as amended, The Babcock & Wilcox

No. 3—3

Company is authorized, as requested in its application for license amendment dated November 30, 1959, to conduct the Nuclear Merchant Ship Critical Experiments with a full loading of production N.S. "Savannah" fuel elements and with complete or partial replacement of presently used control rods with production rods for the N.S. "Savannah" and to make certain changes in the core support structure in its Critical Experiment Laboratory located near Lynchburg, Virginia. The experiments shall be conducted in accordance with the procedures and subject to the limitations contained in License No. CX-1, as amended, and in the application for license amendment dated November 30, 1959.

This amendment is effective as of the date of issuance.

Date of issuance: December 29, 1959.

For the Atomic Energy Commission,

H. L. PRICE,  
Director,  
Division of Licensing and Regulation.

[F.R. Doc. 60-37; Filed, Jan. 5, 1960;  
8:45 a.m.]

## FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 13334; FCC 59-1309]

### BAKERSFIELD BROADCASTING CO. (KBAK-TV)

#### Memorandum Opinion and Order Designating Application for Hearing on Stated Issues

In re application of: Bakersfield Broadcasting Company (KBAK-TV), Bakersfield, California, Docket No. 13334, File No. BPCT-2699; for construction permit to change existing facilities.

1. The Commission has before it for consideration (1) a "Protest and Petition for Reconsideration" filed on November 27, 1959, pursuant to sections 309(c) and 405 of the Communications Act of 1934, as amended, by Kern County Broadcasting Co. (protestant), permittee of Television Station KLYD-TV, Channel 17, Bakersfield, California, directed against the Commission's action of October 20, 1959 (public notice of which was given on October 27, 1959), granting without hearing the above-captioned application; (2) an "Opposition to Protest and Petition for Reconsideration of Kern County Broadcasting Company" filed on December 7, 1959, by Bakersfield Broadcasting Company, licensee of Television Broadcast Station KBAK-TV, Channel 29, Bakersfield, California (KBAK-TV); and (3) a "Reply to Opposition" filed on December 14, 1959, by the protestant.

2. On September 17, 1959, KBAK-TV filed the subject application (BPCT-2699) to change its transmitter location from its present site, approximately six miles north of Bakersfield, to a site atop Breckenridge Mountain, approximately 24 miles east northeast of Bakersfield, make changes in equipment, type of transmitter and type of antenna, increase visual effective radiated power from 19.2 kw to 120 kw and increase antenna height above average terrain from 630 feet to 3690 feet. The new site is approximately 24 miles east of the

present site. Use of the new site with the facilities proposed will substantially enlarge KBAK-TV's coverage of the Bakersfield area.

3. The protestant claims standing by virtue of sections 309(c) and 405 of the Communications Act of 1934, as amended, as the permittee of Television Station KLYD-TV, Channel 17, Bakersfield, California. Protestant justifies its claim to standing by alleging that KBAK-TV's transmitter is presently located a few hundred feet from KLYD-TV's, so that viewers can now receive both stations with the same antenna orientation, but that after the proposed move, this will no longer be the case. Since KBAK-TV is the CBS network affiliate in the area, protestant asserts that many viewers will reorient their antennas to receive KBAK-TV, thereby degrading the effective quality of protestant's signal and thus impairing the commercial value of the KLYD-TV signal. In view of protestant's status as permittee of KLYD-TV, and its allegations, both with respect to KBAK-TV's increased coverage and the antenna orientation problem which KLYD-TV expects, indicating that as a result of the grant of the above-captioned application it will be economically injured by the competition from the new site, we find the protestant to be a "party in interest" within the meaning of section 309(c) of the Communications Act of 1934, as amended, and a "person aggrieved or whose interests are adversely affected" within the meaning of section 405 of said Act.<sup>1</sup> Federal Communications Commission v. Sanders Brothers Radio Station, 309 U.S. 470.

4. Protestant advances three basic contentions in support of its protest. First, that in a variety of previous rule making proceedings, relating to channel assignments to the Bakersfield area, KBAK-TV has taken the consistent position that the building of facilities such as those proposed in the above-cited application would not serve the public interest. Second, protestant asserts that the grant of the subject application will lead to such injurious economic consequences as to impair the ability of KLYD-TV and/or KBAK-TV to continue their present quality of programming in the public interest and cites *Carroll Broadcasting Co. v. Federal Communications Commission*, 17 R.R. 2066; 258 F.2d 440. Third, it is alleged that the subject application was not filed in good faith for the purpose of constructing the proposed station to serve the public interest but is, instead, designed to put KBAK-TV in a favorable position to modify to Channel 12 if it is subsequently assigned to Bakersfield as a result of pending rule making proceedings, and thus allows KBAK-TV to evade the spirit and intent of section 319 of the Communications Act of 1934, as amended.

5. On the basis of the allegations made in support of the contentions discussed above, protestant asserts that the Com-

<sup>1</sup> It is unnecessary to determine whether the facts alleged concerning antenna orientation would, standing alone, be sufficient to confer standing. In any event, the instant situation is obviously sui generis.

mission erred in granting the above-captioned application and that a grant of such application is not in the public interest. Therefore, the protestant requests that the Commission designate the application for evidentiary hearing on three proposed issues, place the burden of proof on the applicant, name protestant as a party, and postpone the effective date of the grant to the effective date of the Commission's decision after hearing. The issues specified by the protestant are as follows:

1. To determine whether a grant of the application would result in such economic injury to the protestant or to the applicant as would impair their ability, or the ability of either of them, to continue serving the public, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other television service to such areas and populations;

2. To determine whether the application was filed for the bona fide purpose of constructing and operating a UHF television station, as proposed, or whether it was filed for the purpose of perfecting, or improving, the position of Bakersfield Broadcasting Company with respect to the assignment of VHF Channel 12, if, and when, that channel is finally allocated to Bakersfield.

3. To determine, in the light of the evidence on the foregoing issues, whether the public interest, convenience and necessity will be served by the grant of the above-entitled application.

6. The first issue requested raises the question of the impact of the proposed service on the quality and quantity of the programming now available to the public. We believe that the allegations justify the inclusion of such an issue in view of the court's holding in the Carroll case, cited by the protestant. Federal Communications Commission v. Sanders Brothers Radio Station, 309 U.S. 470; Carroll Broadcasting Company v. Federal Communications Commission, 17 R.R. 2066; 258 F. 2d 440.

7. The second issue requested raises the question of KBAK-TV's bona fides in filing the above-cited application. Protestant points out that in a variety of rule making proceedings KBAK-TV had stated on the record that it did not believe that the public interest would be served by the improvement of its UHF facilities prior to the resolution of pending rule making proceedings involving the Bakersfield area. Protestant further alleges that KBAK-TV filed the subject application so as to be in a better position to request and obtain a modification of its license to authorize operation on Channel 12 if it is assigned to Bakersfield as a result of pending rule making proceedings. On the basis of these allegations, protestant contends that the subject application was not bona fide but, rather, an attempt to evade the spirit and intent of section 319 of the Communications Act of 1934, as amended. KBAK-TV freely admits that it intends to request modification to Channel 12 if it is subsequently assigned to Bakersfield, and denies that its application was not filed in good faith, but it does not state without equivocation that it will complete construction in accordance with the terms of its construction permit. We believe that protestant's al-

legations are sufficient to raise the second issue specified by it.

8. In view of the foregoing, we find that the protestant has specified with particularity, within the meaning of section 309(c) of the Communications Act of 1934, as amended, the facts upon which it relies and which it contends show that the grant was improperly made or otherwise would not be in the public interest. Accordingly, the above-captioned application will be designated for an evidentiary hearing on the issues specified by the protestant. However, we are not adopting any of said issues, and the burden of proof thereon, both in proving the facts alleged, and in demonstrating their materiality and relevancy, will be on the protestant.

9. There remains for our consideration the question whether the proposed grant should remain in effect. Section 309(c) of the Communications Act of 1934, as amended, provides that pending hearing and decision, the effective date of the Commission's action shall be postponed,

... unless the authorization involved is necessary to the maintenance or conduct of an existing service, or unless the Commission affirmatively finds for reasons set forth in the decision that the public interest requires that the grant remain in effect, in which event the Commission shall authorize the applicant to utilize the facilities or authorization in question pending the Commission's decision after hearing.

It is clear that it is the intent of this portion of the Act that a protested grant be stayed unless there is an exceptional situation which concerns the public interest. It is apparent that the authorization involved is not essential to the conduct of an existing service. Further, the applicant has failed to show public interest considerations which require that the grant remain in effect. Consequently, the effective date of the Commission's action here in question will be postponed pending a final decision in the hearing hereinafter ordered.

10. In view of the foregoing: *It is ordered*, That, effective immediately, the effective date of the grant of the above-captioned application is postponed pending a final determination by the Commission in the evidentiary hearing described below; that the protest and petition for reconsideration filed herein are granted to the extent provided for below and are denied in all other respects; and that pursuant to section 309(c) of the Communications Act of 1934, as amended, the above-captioned application is designated for evidentiary hearing on the following issues:

1. To determine whether a grant of the application would result in such economic injury to the protestant or to the applicant as would impair their ability, or the ability of either of them, to continue serving the public, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other television service to such areas and populations.

2. To determine whether the application was filed for the bona fide purpose of constructing and operating a UHF television station, as proposed, or whether it was filed for the purpose of perfecting, or improving, the position of Bakersfield Broadcasting Company with respect to the assignment of

VHF Channel 12, if, and when, that channel is finally allocated to Bakersfield.

3. To determine, in the light of the evidence on the foregoing issues, whether the public interest, convenience and necessity will be served by the grant of the above-entitled application.

*It is further ordered*, That the burden of proceeding with the introduction of evidence and the burden of proof as to each of the foregoing issues shall be on the protestant.

*It is further ordered*, That the protestant is hereby made a party to the above-captioned proceedings and that;

(a) The hearing on the above issues shall commence at a time and place and before an Examiner to be specified in a subsequent order;

(b) The parties to the proceedings herein shall have fifteen (15) days after the issuance of the Examiner's decision to file exceptions thereto and seven (7) days thereafter to file replies to any such exceptions; and

(c) The appearance by the parties intending to participate in the above hearing shall be filed not later than January 5, 1960.

Adopted: December 22, 1959.

Released: December 30, 1959.

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] MARY JANE MORRIS,  
Secretary.

[F.R. Doc. 60-79; Filed, Jan. 5, 1960;  
8:50 a.m.]

[Docket Nos. 13338, 13339; FCC 59-1321]

## DIXIE RADIO, INC., AND RADIO NEW SMYRNA, INC.

### Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Dixie Radio, Inc., Brunswick, Georgia, requests: 1550 kc, 1 kw, Day, Docket No. 13338, File No. BP-12399; Radio New Smyrna, Inc., New Smyrna Beach, Florida, requests: 1550 kc, 250 w, Day, Docket No. 13339, File No. BP-12796; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 29th day of December 1959;

The Commission having under consideration the above-captioned and described applications;

It appearing that except as indicated by the issues specified below, each of the instant applicants is legally, technically, financially, and otherwise qualified to construct and operate its instant proposal; and

It further appearing that pursuant to section 309(b) of the Communications Act of 1934, as amended, the Commission, in a letter dated June 26, 1959, and incorporated herein by reference, notified the instant applicants, and any other known parties in interest, of the grounds and reasons for the Commission's inability to make a finding that a grant of either of the applications would serve the public interest, convenience, and

necessity; and that a copy of the aforementioned letter is available for public inspection at the Commission's offices; and

It further appearing that the instant applicants filed timely replies to the aforementioned letter, which replies have not, however, entirely eliminated the grounds and reasons precluding a grant of the said applications at this time and requiring a hearing on the particular issues as hereinafter specified; and

It further appearing that by letter dated July 10, 1959, the Commission notified Dixie Radio, Inc. and Murray Broadcasting Company, licensee of Radio Station WPAP (formerly WFBF) that in its letter of June 26, 1959, the proposal of Dixie Radio, Inc., File No. BP-12399, was listed in Appendix 8 thereof as "Panama City, Florida" whereas the correct location is "Brunswick, Georgia"; and that the above letter correcting the inaccuracy is hereby incorporated in the instant order; and

It further appearing that after consideration of the foregoing and the applicants' replies, the Commission is still unable to make the statutory finding that a grant of the applications would serve the public interest, convenience, and necessity; and is of the opinion that the applications must be designated for hearing in a consolidated proceeding on the issues specified below:

It is ordered, That, pursuant to section 309(b) of the Communications Act of 1934, as amended, the instant applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which would receive primary service from each of the instant proposals and the availability of other primary service to such areas and populations.

2. To determine the nature and extent of the interference, if any, that each of the instant proposals would cause to and receive from each other and all other existing standard broadcast stations, the areas and populations affected thereby, and the availability of other primary service to the areas and populations involved in interference between the proposals.

3. To determine whether the interference received by either proposal from the other proposal herein and any existing stations would affect more than ten percent of the population within its normally protected primary service area in contravention of § 3.28(c) (3) of the Commission rules and, if so, whether circumstances exist which would warrant a waiver of said Section.

4. To determine whether the instant proposal of Dixie Radio, Inc. would involve objectionable interference with Station WPAP, Fernandina Beach, Florida, or any other existing standard broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

5. To determine whether the antenna system proposed by Radio New Smyrna,

Inc. would constitute a hazard to air navigation.

6. To determine, in the light of section 307(b) of the Communications Act of 1934, as amended, which of the instant proposals would better provide a fair, efficient and equitable distribution of radio service.

7. To determine, in the light of the evidence adduced pursuant to the foregoing issues which, if either, of the instant applications should be granted.

It is further ordered, That Murray Broadcasting Company, licensee of Station WPAP, Fernandina Beach, Florida, is made a party to the proceeding.

It is further ordered, That, to avail themselves of the opportunity to be heard, the instant applicants and party respondent herein, pursuant to § 1.140 of the Commission rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That, the issues in the above-captioned proceeding may be enlarged by the Examiner, on his own motion or on petition properly filed by a party to the proceeding, and upon sufficient allegations of fact in support thereof, by the addition of the following issue: To determine whether the funds available to the applicant will give reasonable assurance that the proposals set forth in the application will be effectuated.

Released: December 31, 1959.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] MARY JANE MORRIS,  
Secretary.

[F.R. Doc. 60-80; Filed, Jan. 5, 1960;  
8:50 a.m.]

[Docket Nos. 13315-13317; FCC 59M-1780]  
**EASTERN STATES BROADCASTING  
CORP. (WSNJ-FM) ET AL.**

**Order Scheduling Hearing**

In re applications of Eastern States Broadcasting Corporation (WSNJ-FM), Bridgeton, New Jersey, Docket No. 13315, File No. BPH-2739; Bulletin Company, Philadelphia, Pennsylvania, Docket No. 13316, File No. BPH-2740; Pillar of Fire Inc. (WAWZ-FM), Zarephath, New Jersey, Docket No. 13317, File No. BPH-2789; for construction permits.

It is ordered, This 23d day of December 1959, that Basil P. Cooper will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on March 9, 1960, in Washington, D.C.

Released: December 29, 1959.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] MARY JANE MORRIS,  
Secretary.

[F.R. Doc. 60-81; Filed, Jan. 5, 1960;  
8:50 a.m.]

[Docket No. 13090 etc.; FCC 59-1300]

**FREDERICKSBURG BROADCASTING  
CORP. (WFVA) AND CLAIBORNE  
BROADCASTING CO.**

**Order Designating Applications for  
Consolidated Hearing on Stated  
Issues**

In re applications of Fredericksburg Broadcasting Corporation (WFVA), Fredericksburg, Virginia, Has: 1230 kc, 250 w, U, Requests: 1230 kc, 250 w, 1 kw-LS, U, Docket Nos. 13090, 13091, 13092, 13093, 13094, 13095, 13096, 13097, 13098, 13099, 13100, 13101, 13102, 13103, 13104, 13105, 13106, 13107, 13108, 13109, 13110, 13111, 13112, 13113, 13114, 13115, 13116, 13117, 13118, 13119, 13120, 13121, 13122, 13123, 13124, 13125, 13126, 13127, 13129, 13130, 13131, 13132, 13133, 13134, 13135, 13136, 13137, 13138, 13139, 13140, 13141, 13142, 13143, 13144, 13145, 13146, 13147; File No. BP 11550 et al.; Hubert Turner, Floyd Turner and Calvin Smith, d/b as Claiborne Broadcasting Company, Tazewell, Tennessee, Requests: 1250 kc, 500 w, Day, Docket No. 13327, File No. BP-12198; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., of the 22d day of December 1959;

The Commission having under consideration the above-captioned and described applications;

It appearing that the Commission, on August 1, 1959, designated the above-described applications of Fredericksburg Broadcasting Corporation, et al., in a consolidated proceeding in Docket No. 13090, et al.; that BP-12176, WBIR, Knoxville, Tennessee, was among those applications designated for hearing in Docket No. 13090, et al.; that the instant proposal of BP-12198 causes objectionable interference to the proposed operation in BP-12176 and that since the instant proposal was timely filed to be consolidated with BP-12176, pursuant to § 1.106(b) (1) of the Commission's rules, it should now be consolidated in the said proceeding; and

It further appearing that except as indicated by the issues specified below, the instant applicant, BP-12198, is legally, technically, and financially, and otherwise qualified to construct and operate its instant proposal; and

It further appearing that pursuant to section 309(b) of the Communications Act of 1934, as amended, the Commission, in a letter dated October 21, 1959, and incorporated herein by reference, notified the applicant, and any other known parties in interest, of the grounds and reasons for the Commission's inability to make a finding that a grant of the application would serve the public interest, convenience and necessity; and that a copy of the aforementioned letter is available for public inspection at the Commission's offices; and

It further appearing that the applicant filed a timely reply to the aforementioned letter, which reply has not, however, entirely eliminated the grounds and reasons precluding a grant without hearing of the application; and in which the applicant stated that it would appear at

a hearing on the instant applications; and

It further appearing that after consideration of the foregoing and the applicant's reply, the Commission is still unable to make the statutory finding that a grant of the application would serve the public interest, convenience, and necessity; and is of the opinion that the application must be designated for hearing on the issues indicated below;

*It is ordered*, That, pursuant to section 309(b) of the Communications Act of 1934, as amended, the instant application, BP-12198, is designated for hearing in a consolidated proceeding in Docket No. 13090, et al, and is included in issues No. 1, 3, 16 and 18 therein.<sup>1</sup>

*It is further ordered*, That, in the event it is found, pursuant to the question to be determined in issue 6 of the consolidated proceeding in Docket No. 13090 et al. that any of the applicants enumerated therein would cause electrical interaction with other objects in the vicinity of the respective applicant's antenna system, and further, if said applicant is favored in hearing, the construction permit shall contain a condition that the permittee will be required to install appropriate filter circuits to minimize such interactions and shall submit such proofs of accomplishments as are necessary.

*It is further ordered*, That, to avail itself of the opportunity to be heard, the instant applicant, BP-12198, pursuant to § 1.140 of the Commission rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

Released: December 28, 1959.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] MARY JANE MORRIS,  
Secretary.

[F.R. Doc. 60-82; Filed, Jan. 5, 1960;  
8:50 a.m.]

[Docket Nos. 13307-13314; FCC 59M-1779]

#### A. F. MISCH ET AL.

##### Order Scheduling Hearing

In re applications of A. F. Misch, Coffeyville, Kansas, Docket No. 13307, File No. BP-11932; Beloit Broadcasters, Incorporated, (WBEL), South Beloit, Illinois, Docket No. 13308, File No. BP-12101; Samuel A. Burk and Ralph J. Bitzer d/b as Washington County Broadcasting Company, Washington, Iowa, Docket No. 13309, File No. BP-12118; E. D. Scandrett, Washington, Iowa, Docket No. 13310, File No. BP-12603; Lloyd C. McKenney, tr/as Iola Broadcasting Company, Iola, Kansas, Docket No. 13311, File No. BP-12785; Heart of

America Broadcasters, Inc. (KUDL), Kansas City, Missouri, Docket No. 13312, File No. BP-12879; Iowa City Broadcasters, Inc., Iowa City, Iowa; Docket No. 13313, File No. BP-13072; Washington Home and Farm Radio, Inc., Washington, Iowa, Docket No. 13314, File No. BP-13159; for construction permits.

*It is ordered*, This 23d day of December 1959, that H. Gifford Irion will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on March 7, 1960, in Washington, D.C.

Released: December 29, 1959.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] MARY JANE MORRIS,  
Secretary.

[F.R. Doc. 60-83; Filed, Jan. 5, 1960;  
8:50 a.m.]

[Docket No. 12600 etc.; FCC 59M-1784]

#### SHELBY COUNTY BROADCASTING CO. ET AL.

##### Order Scheduling Prehearing Conference

In re applications of H. T. Parrott, R. D. Ingram, J. W. Pickett & Edwin L. Rogers, d/b as Shelby County Broadcasting Company, Shelbyville, Indiana, Docket No. 12600, File No. BP-11202; General Communications, Incorporated, Lafayette, Louisiana, Docket No. 13305, File No. BP-12244; Storz Broadcasting Co. (KOMA), Oklahoma City, Oklahoma, Docket No. 13306, File No. BP-12833; for construction permits.

The Hearing Examiner having under consideration the above-entitled proceeding;

*It is ordered*, This 29th day of December 1959, that all parties, or their attorneys, who desire to participate in the proceeding, are directed to appear for a prehearing conference, pursuant to the provisions of § 1.111 of the Commission's rules, at the Commission's offices in Washington, D.C., at 2:00 p.m., January 19, 1960.

Released: December 30, 1959.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] MARY JANE MORRIS,  
Secretary.

[F.R. Doc. 60-84; Filed, Jan. 5, 1960;  
8:50 a.m.]

[Docket No. 13322; FCC 59-1306]

#### SUBURBAN BROADCASTERS

##### Order Designating Application for Hearing on Stated Issues

In re application of Patrick Henry, David D. Larsen, Stewart B. Kett and James B. Glenn, Jr. d/b as Suburban Broadcasters, Elizabeth, New Jersey, Req.: 103.1 Mc, #276; 1 kw.; 146.6 ft., Docket No. 13332, File No. BPH-2731; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 22d day of December 1959;

The Commission having under consideration the above-captioned and described application;

It appearing that except as indicated by the issues specified below, the instant applicant is legally, technically, financially, and otherwise qualified to construct and operate the instant proposal; and

It further appearing that pursuant to section 309(b) of the Communications Act of 1934, as amended, the Commission, in letters dated September 15, 1959, and November 27, 1959, and incorporated herein by reference, notified the applicant, and any other known parties in interest, of the grounds and reasons for the Commission's inability to make a finding that a grant of the application would serve the public interest, convenience, and necessity; and that copies of the aforementioned letters are available for public inspection in the Commission's offices; and

It further appearing that the applicant filed timely replies to the aforementioned letters, which replies have not, however, entirely eliminated the grounds and reasons precluding a grant at this time and requiring an evidentiary hearing on the particular issues hereinafter specified; and

It further appearing that after consideration of the foregoing and the applicant's replies, the Commission is still unable to make the statutory finding that a grant of the application would serve the public interest, convenience, and necessity; and is of the opinion that the application must be designated for hearing on the issues specified below:

*It is ordered*, That pursuant to section 309(b) of the Communications Act of 1934, as amended, the instant application is designated for hearing at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the area and population within the 1 mv/m contour of the proposed Elizabeth, New Jersey operation and the availability of other such FM broadcast service to the said area and population.

2. To determine whether the proposed station at Elizabeth, New Jersey, would cause interference to Station WNEW-FM, New York, N.Y., and, if so, the nature and extent thereof, the area and population affected thereby and the availability of other FM service to such area and population.

3. To determine whether the operation of the proposed station at Elizabeth, New Jersey, would be in compliance with § 3.313(c) of the Commission's rules with particular reference to the requirement that the proposed assignment may be authorized to operate in a nearby city with a frequency separation of not less than 400 kilocycles where necessary in order to provide an equitable and efficient distribution of facilities.

4. To determine in the light of the evidence adduced pursuant to the foregoing issues, whether a grant of the above-described application of Suburban

<sup>1</sup>No. 1. (Areas and populations served.)

3. (Interference between proposals.) 16. (307(b) determination.) 18. (Whether applications should be granted.)

Broadcasters would serve the public interest, convenience, and necessity.

*It is further ordered*, That the Metropolitan Broadcasting Corporation, licensee of Station WNEW-FM, New York, N.Y., is made a party to the proceeding.

*It is further ordered*, That to avail themselves of the opportunity to be heard, the applicant and party respondent herein, pursuant to § 1.140 of the Commission's rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

Released: December 30, 1959.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] MARY JANE MORRIS,  
Secretary.

[F.R. Doc. 60-85; Filed, Jan. 5, 1960;  
8:50 a.m.]

[Docket No. 13325; FCC 59-1298]

### SUNBURY BROADCASTING CORP. (WKOK)

#### Order Designating Application for Hearing on Stated Issues

In re application of Sunbury Broadcasting Corporation (WKOK), Sunbury, Pennsylvania, Has: 1240 kc, 250 w, U, Requests: 1070 kc, 1 kw, 10 kw-LS, DA-2, U, Docket No. 13325, File No. BP-12008; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 22d day of December 1959;

The Commission having under consideration the above-captioned and described application;

It appearing that except as indicated by the issues specified below, the instant applicant is legally, technically, financially, and otherwise qualified to construct and operate the instant proposal, but that the instant proposal would cause objectionable interference and may involve overlap of the 2 mv/m and 25 mv/m contours with Station WLYC, Williamsport, Pennsylvania, in contravention of § 3.37 of the Commission's rules; that measurement data is necessary in order to resolve this question but to date the applicant has not submitted such data; and

It further appearing that by "Request for Reconsideration" filed June 29, 1959, the instant applicant requested a waiver of § 1.351 of the Commission's rules; that, the Commission on November 25, 1959, granted the applicant's above request; that by amendment filed March 17, 1959, the instant applicant, pursuant to § 1.362(c) of the Commission's rules, waived its right to the notice provisions of section 309(b) of the Communications Act of 1934, as amended; and

It further appearing that the public interest would be served by allowing said notice to be waived as requested by the instant applicant; see Niagara Frontier Amusement Corp., 10 Pike and Fischer R.R. 57, 58; and Order of the Commission FCC 59-192, released March 10, 1959; and that no other party will be prejudiced thereby, since the applicant is the only party entitled under section 309(b) to reply to a letter advising it of the deficiencies found; and

It further appearing that after consideration of the foregoing the Commission is unable to make the statutory finding that a grant of the application would serve the public interest, convenience, and necessity; and is of the opinion that the application must be designated for hearing on the issues specified below:

*It is ordered*, That, pursuant to section 309(b) of the Communications Act of 1934, as amended, the instant application is designated for hearing, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the proposed operation of Station WKOK and the availability of other primary service to such areas and populations.

2. To determine whether the instant proposal of Sunbury Broadcasting Corporation (BP-12008) would involve objectionable interference with Station WLYC, Williamsport, Pennsylvania, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

3. To determine whether overlap of the 2 mv/m and 25 mv/m contours would occur between the instant proposal of Sunbury Broadcasting Corporation (BP-12008) and WLYC, Williamsport, Pennsylvania, in contravention of § 3.37 of the Commission rules and if so, whether circumstances exist which would warrant a waiver of said section.

4. To determine in the light of the evidence adduced pursuant to the foregoing issues, whether a grant of the instant application would serve the public interest, convenience and necessity.

*It is further ordered*, That Lycoming Broadcasting Company, licensee of Station WLYC, Williamsport, Pennsylvania, is made a party to the proceeding.

*It is further ordered*, That, in the event of a grant of the instant proposal, the construction permit shall contain a condition that the permittee will be required to submit distribution measurement data to establish that the various elements of the directional antenna system have been top-loaded to produce electrical characteristics of a 150 degree tower, as proposed.

*It is further ordered*, That, to avail themselves of the opportunity to be heard, the instant applicant and party respondent herein, pursuant to § 1.140 of the Commission rules, in person or by attorney, shall, within 20 days of the mailing of this order, file with the Com-

mission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

Released: December 30, 1959.

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] MARY JANE MORRIS,  
Secretary.

[F.R. Doc. 60-86; Filed, Jan. 5, 1960;  
8:50 a.m.]

[Docket Nos. 13318-13319; FCC 59M-1785]

### UNITED ELECTRONICS LABORATORIES, INC., AND KENTUCKIANA TELEVISION, INC.

#### Order Scheduling Prehearing Conference

In re applications of United Electronics Laboratories, Inc., Louisville, Kentucky, Docket No. 13318, File No. BPCT-2640; Kentuckiana Television, Incorporated, Louisville, Kentucky, Docket No. 13319, File No. BPCT-2652; for construction permits for new television broadcast stations (Channel 51).

The Hearing Examiner having under consideration the above-entitled proceeding;

*It is ordered*, This 29th day of December 1959, that all parties, or their attorneys, who desire to participate in the proceeding, are directed to appear for a prehearing conference, pursuant to the provisions of § 1.111 of the Commission's rules, at the Commission's offices in Washington, D.C., at 2:00 p.m., January 13, 1960.

Released: December 30, 1959.

FEDERAL COMMUNICATIONS  
COMMISSION,  
[SEAL] MARY JANE MORRIS,  
Secretary.

[F.R. Doc. 60-87; Filed, Jan. 5, 1960;  
8:50 a.m.]

[Docket No. 13289, 13290; FCC 59M-1783]

### WALMAC CO.

#### Order Scheduling Prehearing Conference

In re applications of Howard W. Davis, tr/as, The Walmac Company, San Antonio, Texas, Docket No. 13289, File No. BR-411; for renewal of licenses of stations KMAC(AM) and KISS(FM), Docket No. 13290, File No. BRH-691.

The Hearing Examiner having under consideration the above-entitled proceeding;

*It is ordered*, This 29th day of December 1959 that all parties, or their attorneys, are directed to appear for a prehearing conference, pursuant to the provisions of § 1.111 of the Commission's rules, at the Commission's offices in

Washington, D.C. at 10:00 a.m. on January 20, 1960.

Released: December 30, 1959.

FEDERAL COMMUNICATIONS  
COMMISSION,

[SEAL] MARY JANE MORRIS,  
Secretary.

[F.R. Doc. 60-88; Filed, Jan. 5, 1960;  
8:50 a.m.]

## FEDERAL POWER COMMISSION

[Docket No. G-17176]

### CLARK FUEL PRODUCING CO.

#### Notice of Application and Date of Hearing

DECEMBER 30, 1959.

Take notice that on December 1, 1958, Clark Fuel Producing Company (Applicant)<sup>1</sup> filed in Docket No. G-17176 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the continuance of natural gas service to Tennessee Gas Transmission Company (Tennessee) formerly rendered by R. E. Schiefelbein, E. Homer and G. W. Wheeler (Schiefelbein et al.), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The subject sale involves natural gas produced from the Ed. W. Sullivan Lease in the Sullivan City Field, Hidalgo County, Texas, and sold to Tennessee under a contract dated April 5, 1956, between Schiefelbein, et al., as sellers, and Tennessee as buyer, on file with the Commission as R. E. Schiefelbein, et al., FPC Gas Rate Schedule No. 1, as supplemented.

By instrument of assignment executed February 28, 1958, J. O. Clark, Jr. and A. P. Clark acquired Schiefelbein, et al.'s interest under the aforementioned contract, effective as of March 1, 1958, which assignment was filed by Applicant concurrently with the present application, together with a notice of succession to Schiefelbein, et al.'s interest. The subject rate schedule has been redesignated Clark Fuel Producing Company FPC Gas Rate Schedule No. 5, and the assignment designated Supplement No. 2 thereto.

Certificate authorization to render the subject service to Tennessee was granted to Schiefelbein, et al., by order issued April 8, 1957, in Docket No. G-10278 (In the Matters of United States Smelting Refining and Mining Company, et al., Docket Nos. G-9833, et al.).

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on January 28, 1960, at 9:30 a.m., e.s.t., in

a Hearing Room of the Federal Power Commission, 441 G Street, NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 18, 1960. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 60-51; Filed, Jan. 5, 1960;  
8:47 a.m.]

[Docket No. G-18338 etc.]

### COASTAL TRANSMISSION CORP. ET AL.

#### Notice of Applications and Consolidation of Proceedings

DECEMBER 23, 1959.

In the Notice of Applications and Consolidation of Proceedings issued December 11, 1959 and published in the FEDERAL REGISTER on December 18, 1959 (24 F.R. 10262-63) the following corrections should be made:

1. Docket No. G-18175, Sharyland Field, Hidalgo County, Texas should be changed to Docket No. G-18212, Sharyland Field, Hidalgo County, Texas.

2. Docket No. G-18349 should be changed to Docket No. G-18439 also insert G-19140, Potrero Lopena Field, Kennedy County, Texas after G-19129.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 60-52; Filed, Jan. 5, 1960;  
8:47 a.m.]

[Docket No. G-20052]

### EL PASO NATURAL GAS CO.

#### Notice of Application and Date of Hearing

DECEMBER 30, 1959.

Take notice that on November 3, 1959, El Paso Natural Gas Company (Applicant) filed in Docket No. G-20052 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of small scale budget-type routine facilities during the calendar year 1960, all as more fully set forth in the application

herein which is on file with the Commission and open to public inspection.

The proposed facilities consist of:

(1) Not more than 30 main line taps, with appurtenant facilities, through which Applicant will sell and deliver from 50 to 500 Mcf of natural gas per day to existing resale customers in Texas, New Mexico and Arizona, at an estimated cost of \$275 per tap, or a maximum total of \$8,250 for 30 taps.

(2) Not more than 15 meter stations, with regulating and other necessary appurtenances, to sell and deliver from 50 to 5,000 Mcf of natural gas per day to existing resale customers, at an estimated cost of \$2,000 to \$6,000 per meter station, or a maximum total of \$90,000 for 15 meter stations.

(3) Two lateral or branch pipelines, with related metering and appurtenant facilities, of not less than 2 inches nor more than 6 $\frac{3}{4}$  inches outside diameter and of unknown length and location at this time, to sell and deliver from 50 to 5,000 Mcf of natural gas per day to existing resale customers, at a maximum estimated cost of \$350,000 per line, or a maximum total of \$700,000 for the two.

The total estimated cost of all facilities proposed under this application will not exceed \$798,250, which Applicant proposes to finance from its working funds or short-term bank loans.

The following volumes of natural gas are anticipated to be required during the calendar year 1960, under this application:

	Mcf at 14.73 psia		
	30 taps	15 meter stations	Totals
Peak day requirements.	1,560	17,070	18,630
Annual requirements (year 1960).....	258,000	3,081,000	3,339,000

No increase in mainline capacity is proposed. All sales are to be made under existing filed rates or rates subsequently made effective by the Commission.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on January 28, 1960, at 9:30 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commis-

<sup>1</sup> Applicant is a partnership composed of J. O. Clark, Jr., and A. P. Clark.

sion, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 18, 1960. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 60-53; Filed, Jan. 5, 1960;  
8:47 a.m.]

[Docket No. G-20541]

# HAWN BROTHERS ET AL.

## Order Providing for Hearing, Suspending Proposed Change in Rate, and Rejecting Contingent Rate Filing

DECEMBER 29, 1959.

On November 30, 1959, Hawn Brothers, et al. (Hawn) tendered for filing a proposed change in rate for its jurisdictional sale of gas to Tennessee Gas Transmission Company from Scott-Hopper Field in Brooks County, Texas. The proposed change, which constitutes an increased rate and charge from 12.12268 cents to 15.0952 cents per Mcf at 14.65 psia, is contained in the following designated filing:

Description: Notice of Change dated November 30, 1959.

Rate schedule designation: Supplement No. 4 to Hawn's FPC Gas Rate Schedule No. 4.

Effective date: December 31, 1959 (effective date is the first day after 30 days' statutory notice).

On November 30, Hawn also tendered for filing an amendment dated November 25, 1959, to its contract constituting the rate schedule involved. This filing would eliminate from the contract the favored-nation and price redetermination provisions and would change the periodic price provisions and tax reimbursement clause of the contract. By its terms, this amendment is contingent on the Commission's acceptance of Hawn's proposed increased rate and is otherwise void.

In support of its proposed redetermined rate increase, Hawn cites its contract and submits a price redetermination agreement. Hawn states that the contract was negotiated at arm's length and that the price is not above other prices in the area. Hawn also states that the gas required three stages of compression until new wells were completed on October 19, 1959, and that since then about one-half the gas has required compression. Hawn adds that five dry holes were drilled on the leases involved, numerous expensive workovers have been required on the producing wells, and royalty payment is one-fourth rather than the usual one-eighth. Hawn further states that the proposed amendment to the contract justifies the proposed rate by the elimination of indefinite pricing clauses and by the resultant price stability. Hawn cites Commission statements in orders granting certifi-

cates for contracts without indefinite pricing provisions and also cites Commission statements in orders approving offers of settlement which eliminate indefinite pricing provisions.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds:

(1) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed increased rate and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

(2) Hawn's proposed amendment to his contract constituting the rate schedule involved should be rejected.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing shall be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 4 to Hawn's FPC Gas Rate Schedule No. 4.

(B) Pending such hearing and decision thereon, said supplement is hereby suspended and the use thereof deferred until May 31, 1960, and thereafter until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) The proposed amendment dated November 25, 1959, to the contract constituting Hawn's FPC Gas Rate Schedule No. 4 is hereby rejected.

(E) Interested State commissions may participate as provided by §§ 1.8 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR, 1.8 and 1.37(f)).

By the Commission.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 60-54; Filed, Jan. 5, 1960;  
8:47 a.m.]

[Docket No. G-19329]

# UNITED FUEL GAS CO.

## Notice of Application and Date of Hearing

DECEMBER 30, 1959.

Take notice that on August 26, 1959, United Fuel Gas Company (Applicant), filed an application in Docket No. G-19329, pursuant to section 7(b) of the Natural Gas Act, for authority to aban-

don two 350 horsepower compressor units in its Spencer Compressor Station and one 600 horsepower compressor unit in its Poca Compressor Station, all as more fully set forth in the application on file with the Commission and open for public inspection.

All three units are gas engine driven and complete with auxiliary equipment and facilities.

Applicant states that Spencer Compressor Station, in Curtis District, Roane County, West Virginia, was initially placed in operation in 1914 using the two 350 horsepower units to be abandoned to compress gas produced and purchased in the Roane County field for delivery into Applicant's main interstate system. Applicant considers the field depleted insofar as economical compression and main transmission operations are concerned.

Applicant states that Poca Compressor Station, in Poca District, Kenawha County, West Virginia, was initially placed in operation in 1941 using two 600 horsepower units to compress produced and purchased gas from the Poca field for delivery into Applicant's main interstate system. Applicant believes that depletion has reached the point where one of the 600 horsepower units can compress all of the gas produced from the field.

The total estimated reduction in annual operating expense resulting from the retirement of all three units would be \$53,475.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on February 4, 1960, at 9:30 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 25, 1960. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 60-55; Filed, Jan. 5, 1960;  
8:47 a.m.]

# INTERSTATE COMMERCE COMMISSION

## ORGANIZATION OF DIVISIONS AND BOARDS AND ASSIGNMENT OF WORK

### Miscellaneous Amendments

At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 8th day of December A.D. 1959.

Section 17 of the Interstate Commerce Act being under further consideration:

*It is ordered*, That Organization Minutes of the Interstate Commerce Commission relating to the Organization of Divisions and Boards and Assignment of Work, issue of January 1, 1959, as amended (24 F.R. 2506, 4070, and 5667), be, and it is hereby, further amended in the following particulars:

Under the heading *Divisions of the Commission*, Item 2.5 is rescinded, and Item 2.6 is redesignated Item 2.5, effective January 1, 1960.

By the Commission.

[SEAL] HAROLD D. MCCOY,  
Secretary.

[F.R. Doc. 60-74; Filed, Jan. 5, 1960;  
8:49 a.m.]

[No. MC-C-2788]

## PETITION FOR A DECLARATORY ORDER AND EMERGENCY RELIEF

DECEMBER 31, 1959.

Petitioner: ASSOCIATED TRANSPORT, INC., 380 Madison Avenue, New York 17, N.Y. Petitioner's attorney: C. J. Braun, Jr., 380 Madison Avenue, New York 17, N.Y. By petition dated December 11, 1959, petitioner prays that the Commission grant the following: (1) That the final Order of the Commission on all "Grandfather" applications presently pending before the Commission embracing commodities which were formerly exempt be postponed pending a determination of this petition; (2) That this petition be granted, that all "Grandfather" rights based upon evidence of transportation of formerly exempt commodities as shown on Administrative Ruling No. 107 be issued with specific restrictions against the transportation of commodities not shown as exempt in the aforementioned ruling; (3) That all "Grandfather" authority heretofore granted by virtue of the provisions of section 203(7) (b) and (c) of the Act be amended to include the restriction in (2) above; and (4) That the Interstate Commerce Commission grant such other additional or further relief that it may find proper. Any person or persons desiring to participate in this proceeding may file representations supporting or opposing the relief sought

within 30 days after the date of this publication in the FEDERAL REGISTER.

By the Commission.

[SEAL] HAROLD D. MCCOY,  
Secretary.

[F.R. Doc. 60-68; Filed, Jan. 5, 1960;  
8:49 a.m.]

[Notice 303]

## MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

DECEMBER 31, 1959.

The following publications are governed by the Interstate Commerce Commission's general rules of practice including special rules (49 CFR 1.241) governing notice of filing of applications by motor carriers of property or passengers or brokers under sections 206, 209 and 211 of the Interstate Commerce Act and certain other proceedings with respect thereto.

All hearings will be called at 9:30 o'clock a.m., United States standard time unless otherwise specified.

### APPLICATIONS ASSIGNED FOR ORAL HEARING OR PRE-HEARING CONFERENCE

#### MOTOR CARRIERS OF PROPERTY

No. MC 2935 (Sub No. 9), filed November 25, 1959. Applicant: O. M. CUMMINGS, JR., doing business as TUSCALOOSA MOTOR EXPRESS, 2112 Ninth Street, Tuscaloosa, Ala. Applicant's attorney: W. D. Partlow, Jr., 602 25th Avenue, Tuscaloosa, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pipe and pipe fittings*, from points in Tuscaloosa, County, Ala., to points in Florida, Georgia, North Carolina, and South Carolina, and *scrap metal*, from points in Florida, Georgia, North Carolina and South Carolina, to points in Tuscaloosa, County, Ala. Applicant is authorized to conduct operations in Alabama, Mississippi, Tennessee, Georgia, Florida, North Carolina, and South Carolina.

HEARING: February 19, 1960, at the Hotel Thomas Jefferson, Birmingham, Ala., before Examiner Herbert L. Hanback.

No. MC 4405 (Sub No. 337), filed September 14, 1959. Applicant: DEALERS TRANSIT, INC., 12601 South Torrence Avenue, Chicago 33, Ill. Applicant's attorney: James W. Wrape, 2111 Sterick Building, Memphis, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commercial motor vehicles*, in initial movements, by truckaway and driveway service, from Evergreen, Ala., and points within 5 miles thereof to points in the United States, including Alaska, but excluding Hawaii. Applicant is authorized to conduct operations throughout the United States.

HEARING: February 8, 1960, at 680 West Peachtree Street NW., Atlanta, Ga., before Examiner Herbert L. Hanback.

No. MC 59583 (Sub No. 85), filed November 19, 1959. Applicant: THE MASON & DIXON LINES, INCORPORATED, Eastman Road, Kingsport, Tenn. Applicant's attorney: Clifford E. Sanders, 321 East Center Street, Kingsport, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, those requiring special equipment and those injurious or contaminating to other lading; between Greenville, S.C., and Athens, Ga.; from Greenville over U.S. Highway 29 to Athens, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only in connection with applicant's authorized regular route operations. Applicant is authorized to conduct operations in Georgia; Maryland, Delaware, the District of Columbia, New Jersey, New York, North Carolina, South Carolina, Pennsylvania, Tennessee, and Virginia.

HEARING: February 17, 1960, at the Georgia Public Service Commission, 244 Washington Street SW., Atlanta, Ga., before Joint Board No. 131, or, if the Joint Board waives its right to participate, before Examiner Herbert L. Hanback.

No. MC 62745 (Sub No. 6), filed October 26, 1959. Applicant: WOOLEYHAN TRANSPORT COMPANY, a corporation, 900 South Heald Street, Wilmington, Del. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Classes A and B explosives and commodities or materials incidental thereto*, between Elkton, Md., and Dover, Del. Applicant is authorized to conduct operations in Delaware, the District of Columbia, Maryland, New Jersey, New York, and Pennsylvania.

NOTE: Applicant states that the proposed operations will be between places in or near Elkton, Md., and Dover, Del., including Dover Air Force Base at or near Dover, Del., also to tack such proposed irregular route to present operating authority via Wilmington, Del., as embraced in present operating authority under Certificate MC 62745.

HEARING: February 3, 1960, in Room 709, U.S. Appraisers' Stores Building, Gay and Lombard Streets, Baltimore, Md., before Joint Board No. 40.

No. MC 76032 (Sub No. 144), filed October 26, 1959. Applicant: NAVAJO FREIGHT LINES, INC., 1205 South Platte River Drive, Denver 23, Colo. Applicant's attorney: O. Russell Jones, P.O. Box 1437, Santa Fe, N. Mex. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Classes A, B and C explosives, ammunition not included in Classes A, B and C explosives, and component parts of explosives and ammunition*, (1) Between Phoenix, Ariz., and Wickenburg, Ariz., over U.S. Highway 89, serving no intermediate points, but serving Wickenburg for joinder purposes only; (2) Between Phoenix, Ariz., and

Prescott, Ariz., over Arizona Highway 69, serving no intermediate points, but serving Prescott for joinder purposes only; and (3) Between Congress, Ariz., and Kingman, Ariz., from Congress over Arizona Highway 71 to junction Arizona Highway 93, thence over Arizona Highway 93 to Kingman, and return over the same route, serving no intermediate points, but serving Congress for joinder purposes only. Applicant is authorized to conduct operations in Arizona, California, Colorado, Illinois, Indiana, Iowa, Kansas, Missouri, Nebraska, Nevada, New Mexico, Oklahoma, and Texas.

**HEARING:** February 11, 1960, at the Arizona Corporation Commission, Phoenix, Ariz., before Joint Board No. 240, or, if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

No. MC 103051 (Sub No. 88), filed December 9, 1959. Applicant: WALKER HAULING CO., INC., 624 Penn Avenue NE., Atlanta 8, Ga. Applicant's attorney: R. J. Reynolds, Jr., Suite 1424-35, C & S National Bank Building, Atlanta 3, Ga. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Nitric acid*, in bulk, in tank vehicles, from points in Jefferson County, Ala., to points in Georgia. Applicant is authorized to conduct operations in Alabama, Delaware, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, Ohio, South Carolina, Tennessee, Texas, and Virginia.

**HEARING:** February 18, 1960, at the Georgia Public Service Commission, 244 Washington Street SW., Atlanta, Ga., before Joint Board No. 157, or, if the Joint Board waives its right to participate, before Examiner Herbert L. Hanback.

No. MC 103378 (Sub No. 165), filed December 9, 1959. Applicant: PETROLEUM CARRIER CORPORATION, 369 Margaret Street, Jacksonville, Fla. Applicant's attorney: Martin Sack, Atlantic National Bank Building, Jacksonville 2, Fla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Acetic acid*, in bulk, from points in De Kalb County, Ga., to points in Alabama. Applicant is authorized to conduct operations in Alabama, Florida, Georgia, North Carolina, South Carolina, Tennessee, and West Virginia.

**HEARING:** February 18, 1960, at the Georgia Public Service Commission, 244 Washington Street SW., Atlanta, Ga., before Joint Board No. 157, or, if the Joint Board waives its right to participate, before Examiner Herbert L. Hanback.

No. MC 103435 (Sub No. 86), (AMENDMENT), filed July 2, 1959, published in FEDERAL REGISTER, issue of October 14, 1959. Applicant: BUCKINGHAM FREIGHT LINES, 900 East Omaha, P.O. Box 1631, Rapid City, S. Dak. Applicant's attorney: Marion F. Jones, 526 Denham Building, Denver 2, Colo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *General commodities, including Classes A and B explosives*, except those of unusual value

and except household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, serving ballistic missiles testing and launching sites and supply points therefor within a 50-mile radius of Rapid City, S. Dak., as off-route points in connection with applicant's authorized regular-route operations to and from Rapid City, S. Dak., and (2) *general commodities, including Classes A and B explosives*, except those of unusual value and except household goods as defined by the Commission, and liquid commodities, in bulk, between Rapid City, S. Dak., and points within 10 miles thereof, on the one hand, and, on the other, ballistic missiles testing and launching sites and supply points therefor within a 50-mile radius of Rapid City, S. Dak. Applicant is authorized to conduct operations in Colorado, Iowa, Minnesota, Montana, Nebraska, North Dakota, South Dakota, Utah, and Wyoming.

**HEARING:** Remains as assigned January 28, 1960, at the Sheraton Johnson Hotel, Rapid City, S. Dak., before Joint Board No. 183.

No. MC 106398 (Sub No. 139), filed November 16, 1959. Applicant: NATIONAL TRAILER CONVOY, INC., 1916 North Sheridan Road, Box 8096 Dawson Station, Tulsa, Okla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Trailers* designed to be drawn by passenger automobile, in truckaway service, in initial movements, from points in Arizona to all points in the United States including Alaska. Applicant is authorized to conduct operations throughout the United States.

**HEARING:** February 12, 1960, at the Arizona Corporation Commission, Phoenix, Ariz., before Examiner F. Roy Linn.

No. MC 107515 (Sub No. 334), filed November 6, 1959. Applicant: REFRIGERATED TRANSPORT CO., INC., 290 University Avenue SW., Atlanta 10, Ga. Applicant's attorney: Allan Watkins, 214-217 Grant Building, Atlanta 3, Ga. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Candy and confectionery*, from Atlanta and East Point, Ga., to points in Florida. Applicant is authorized to conduct operations in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and Wisconsin.

**NOTE:** Applicant states it proposes to traverse the State of Alabama for operating convenience only. Dual authority under section 210 may be involved.

**HEARING:** February 17, 1960, at the Georgia Public Service Commission, 244 Washington Street SW., Atlanta, Ga., before Joint Board No. 99, or, if the Joint Board waives its right to participate, before Examiner Herbert L. Hanback.

No. MC 107515 (Sub No. 335), filed November 12, 1959. Applicant: REFRIGERATED TRANSPORT CO., INC.,

290 University Avenue SW., Atlanta 10, Ga. Applicant's attorney: Allan Watkins, Suite 214-217 Grant Building, Atlanta 3, Ga. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Cheese*, in vehicles equipped with mechanical refrigeration, from Plymouth, Wis. to Bristol and Roanoke, Va. Applicant is authorized to conduct operations in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and Wisconsin.

**HEARING:** February 9, 1960, at 680 Peachtree Street NW., Atlanta, Ga., before Examiner Herbert L. Hanback.

No. MC 107515 (Sub No. 336), filed November 12, 1959. Applicant: REFRIGERATED TRANSPORT CO., INC., 290 University Avenue SW., Atlanta 10, Ga. Applicant's attorney: Allan Watkins, 214-216 Grant Building, Atlanta 3, Ga. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Prepared dough* requiring refrigeration, from Greensboro, N.C., to points in Alabama, Florida, Georgia, Illinois, Indiana, Kentucky, Michigan, Ohio, South Carolina, Tennessee, Virginia, and West Virginia. Applicant is authorized to conduct operations in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and Wisconsin.

**HEARING:** February 9, 1960, at 680 Peachtree Street NW., Atlanta, Ga., before Examiner Herbert L. Hanback.

No. MC 107515 (Sub No. 337), filed November 13, 1959. Applicant: REFRIGERATED TRANSPORT CO., INC., 290 University Avenue SW., Atlanta 10, Ga. Applicant's attorney: Allan Watkins, Suite 214-217 Grant Building, Atlanta 3, Ga. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dairy products, dessert toppings* (milk, cream or vegetable compounds) and *salads*, in vehicles equipped with mechanical refrigeration, from Atlanta, Ga., to points in Virginia (except Norfolk and Richmond). Applicant is authorized to conduct operations in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and Wisconsin.

**HEARING:** February 9, 1960, at 680 West Peachtree Street NW., Atlanta, Ga., before Examiner Herbert L. Hanback.

No. MC 107515 (Sub No. 338), filed November 16, 1959. Applicant: REFRIGERATED TRANSPORT CO., INC., 290 University Avenue SW., Atlanta 10, Ga. Applicant's attorney: Allan Watkins, 214-216 Grant Building, Atlanta 3, Ga. Authority sought to operate as a

*common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, and meat by-products*, as described in Section A of Appendix I to the report in *Description in Motor Carrier Certificates*, 61 M.C.C. 209, in vehicles equipped with mechanical refrigeration, from Bristol, Va., to points in Tennessee, Georgia, and Florida. Applicant is authorized to conduct operations in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and Wisconsin.

**HEARING:** February 10, 1960, at 680 West Peachtree Street NW., Atlanta, Ga., before Examiner Herbert L. Hanback.

No. MC 107515 (Sub No. 339), filed November 20, 1959. Applicant: REFRIGERATED TRANSPORT CO., INC., 290 University Avenue SW., Atlanta, 10, Ga. Applicant's attorney: Allan Watkins, Suite 214-217 Grant Building, Atlanta 3, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, packinghouse products, and commodities used by packinghouses*, as defined by the Commission in Ex Parte MC-45, from Grenada, Miss., to points in Georgia (except Atlanta, Albany, Macon, Columbus, Griffin, and Montezuma), Alabama, Tennessee (except Memphis), Minnesota, Indiana, Ohio, Kentucky, Wisconsin, and Florida. Applicant is authorized to conduct operations in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Mexico, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and Wisconsin.

**HEARING:** February 10, 1960, at 680 West Peachtree Street NW., Atlanta, Ga., before Examiner Herbert L. Hanback.

No. MC 108941 (Sub No. 42), filed November 12, 1959. Applicant: F. N. RUMBLEY COMPANY, a corporation, 2100 South Van Ness Avenue, Fresno, Calif. Applicant's attorney: Phil Jacobson, 510 West Sixth Street, Suite 723, Los Angeles 14, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes transporting: *Anhydrous ammonia*, in tank trucks and trailers, from Chandler, Ariz., and points within 25 miles thereof, to points in California, Nevada, and New Mexico, and those in El Paso, Reeves, Culberson, Loving, and Winkler Counties, Tex.; and from Chandler, Ariz., and points within 25 miles thereof, to Nogales, San Luis, and Aqua Prieta, Ariz., on traffic destined to Mexico. Applicant is authorized to conduct operations in Arizona, California, Nevada, New Mexico, and Texas.

**HEARING:** February 10, 1960, at the Arizona Corporation Commission, Phoenix, Ariz., before Examiner F. Roy Linn.

No. MC 110698 (Sub No. 132), filed December 11, 1959. Applicant: RYDER TANK LINE, INC., P.O. Box 457, Winston Road, Greensboro, N.C. Applicant's attorney: Frank B. Hand, Jr., 522

Transportation Building, Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Apple juice*, in bulk, in tank vehicles, from Stuart and Mt. Jackson, Va., to Charlotte, N.C. Applicant is authorized to conduct operations in Alabama, Arkansas, Delaware, District of Columbia, Florida, Georgia, Indiana, Kentucky, Louisiana, Maryland, Massachusetts, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, and West Virginia.

**HEARING:** February 5, 1960, at the Charlotte Hotel, Charlotte N.C., before Joint Board No. 7, or, if the Joint Board waives its right to participate, before Examiner Herbert L. Hanback.

No. MC 111472 (Sub No. 62), (RE-PUBLICATION). Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 1919 Hamilton, Racine, Wis. Applicant's attorney: Glenn W. Stephens, 121 West Doty Street, Madison 3, Wis. By application, Form BMC 78, filed August 3, 1959, as amended, applicant sought authority to transport agricultural implements and parts when moving with shipments of agricultural implements, except tractors, tractor parts and tractor attachments, from Waterloo, Iowa, and Rochelle, Ill., to all points in 12 specified States, and points in Pennsylvania, except Lancaster, Mountville, Belleville, Intercourse, and New Holland, Pa. At the hearing on November 9, 1959, at Chicago, Ill., before Examiner Francis A. Welch, applicant was permitted to present evidence concerning need for authority to serve points in Virginia, inadvertently omitted from the application, in addition to the 12 states and points in Pennsylvania. The Examiner recommends, in a report served December 15, 1959, the issuance of an interim permit authorizing the transportation of agricultural implements and parts thereof when moving with shipments of agricultural implements, except tractors, tractor parts and tractor attachments, from Waterloo, Iowa, and Rochelle, Ill., to points in Delaware, Georgia, Indiana, Kentucky, Maryland, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, South Carolina, Virginia, and those in Pennsylvania, except Lancaster, Mountville, Belleville, Intercourse, and New Holland, Pa., subject to certain conditions. The purpose of this republication is to advise that any person or persons who may have been prejudiced by the allowance, in effect, of the amendment to include Virginia may file, within 30 days from the date of this publication, an appropriate pleading.

No. MC 113855 (Sub No. 40), (RE-PUBLICATION), filed September 29, 1959, published FEDERAL REGISTER, issue of December 9, 1959. Applicant: INTERNATIONAL TRANSPORT, INC., Highway 52 South, Rochester, Minn. Applicant's attorney: Alan Foss, First National Bank Building, Fargo, N. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt, salt products and salt compounds*, from Wil-

liston, N. Dak., and points within ten (10) miles thereof to points in South Dakota, Montana, Wyoming, Nebraska, Minnesota, Iowa, Colorado, and Wisconsin. Applicant is authorized to conduct operations throughout the United States.

**NOTE:** The purpose of this republication is to add the destination States of Colorado and Wisconsin.

**HEARING:** Remains as assigned February 3, 1960, in the North Dakota Public Service Commission, Bismarck, N. Dak., before Examiner Leo A. Riegel.

No. MC 115496 (Sub No. 6), filed October 15, 1959. Applicant: LUMBER TRANSPORT, INC., Main Street, Rhine, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, (1) between points in Georgia, South Carolina, and points in Alabama on and East of U.S. Highway 31, on the one hand, and, on the other, points in Florida; and (2) between points in Georgia and South Carolina, on the one hand, and, on the other, points in Kentucky and Tennessee. Applicant is authorized to conduct operations in Georgia and Florida.

**HEARING:** February 15, 1960 at 680 West Peachtree Street NW., Atlanta, Ga., before Examiner Herbert L. Hanback.

No. MC 117719 (Sub No. 1), filed November 30, 1959. Applicant: E. L. MERCER, doing business as MERCER MARINE TRANSIT, 1901 Cheshire Bridge Road NE., Atlanta 9, Ga. Applicant's attorney: R. J. Reynolds, Jr., 1424-35 C & S National Bank Building, Atlanta 3, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Boats* of all types and description, from Cadillac, Manistee, Holland, and Algonac, Mich., South Amboy, N.J., Caruthersville, Mo., Salisbury and Baltimore, Md., and Pompano Beach, Fla., to points in Alabama, Florida, Georgia, North Carolina, South Carolina, Tennessee, and Virginia, and *damaged and rejected shipments* of Boats on return movements; and (2) *Boats* of all types and description, and *damaged and rejected shipments* of boats, between points in Alabama, Florida, Georgia, North Carolina, South Carolina, Tennessee, and Virginia.

**HEARING:** February 16, 1960, at 680 West Peachtree Street NW. Atlanta, Ga., before Examiner Herbert L. Hanback.

No. MC 118831 (Sub No. 5), filed November 30, 1959. Applicant: CENTRAL TRANSPORT, INC., East College Drive, High Point, N.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fly ash and volcanic ash*, in bulk, in tank or hopper type vehicles, from points in North Carolina to points in Virginia, South Carolina, Tennessee, and Georgia.

**HEARING:** February 5, 1960, at the Charlotte Hotel, Charlotte, N.C., before Examiner Herbert L. Hanback.

No. MC 119117, filed August 3, 1959. Applicant: CHARLES WYATT AND GEORGE McCORMICK, doing business as M & W TRAILER SALES, 1766 Fourth Avenue, Yuma, Ariz. Applicant's attorneys: Byrne, Green, Benton & Case, 152

First Avenue, P.O. Box 1749, Yuma, Ariz. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *House trailers*, designed to be transported by passenger automobiles, in secondary movements, in towaway service, between points in Yuma County, Ariz., on the one hand, and, on the other, points in New Mexico, Texas, and California.

**HEARING:** February 16, 1960, at the Arizona Corporation Commission, Phoenix, Ariz., before Examiner F. Roy Linn.

No. MC 119239 filed, September 30, 1959. Applicant: **GEORGE W. KIRK**, doing business as **KIRK TRUCKING CO.**, State Farmers Market, Forest Park, Ga. Applicant's representative: Robert J. Fehskens, 4142 Shawnee Lane N.E., Atlanta 19, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from New Orleans, La., Mobile, Ala., Miami and Tampa, Fla., Charleston, S.C., Savannah, Ga., and Norfolk, Va., to Atlanta and Columbus, Ga., Birmingham, Ala., Chattanooga, Nashville and Knoxville, Tenn., Louisville and Lexington, Ky., Columbia, S.C., and Charlotte, N.C., and *empty containers or other such incidental facilities* used in transporting bananas, on return.

**HEARING:** February 16, 1960, at 680 West Peachtree Street NW., Atlanta, Ga., before Examiner Herbert L. Hanback.

No. MC 119277 filed, October 26, 1959. Applicant: **H. M. HENDRIX**, Star Route, Dawsonville, Ga. Applicant's attorney: R. J. Reynolds, Jr., 1424 C & S National Bank Building, Atlanta 3, Ga. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cotton, rayon and synthetic clothing and wearing apparel, and finished and unfinished textile products*, between the plant site of Sweet-Orr & Co., Inc., in Dawson County, Ga., on the one hand, and, on the other, New Brunswick, N.J., and Clevedale, S.C.

**HEARING:** February 10, 1960, at 680 West Peachtree Street, NW., Atlanta, Ga., before Examiner Herbert L. Hanback.

No. MC 119295, filed November 9, 1959. Applicant: **RAY E. CAGLE AND FOREST L. CAGLE**, doing business as **CAGLE BROS. TRUCKING SERVICE**, 402 West Watkins Road, Phoenix, Ariz. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron, steel, fabricated iron and steel products, pipe, construction tools, machinery, and returned and rejected shipments of these commodities*, between points in Arizona, on the one hand, and, on the other, points in Arizona, California, Utah, Nevada, Colorado, New Mexico, and those in El Paso County, Tex. Applicant holds contract carrier authority in Permit No. MC 112321. Dual operations under section 210, and common control, may be involved.

**HEARING:** February 17, 1960, at the Arizona Corporation Commission, Phoenix, Ariz., before Examiner F. Roy Linn.

No. MC 119300, filed November 12, 1959. Applicant: **CENTRAL SUPPLY AND TRUCKING CO., INC.**, 723 East Henshaw Road, Phoenix, Ariz. Appli-

cant's attorney: John R. Elliott, 742 First National Bank Building, Phoenix, Ariz. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal hides, bones and tallow*, from Phoenix, Ariz., to Los Angeles, Calif., and points in Los Angeles County, Calif.

**HEARING:** February 10, 1960, at the Arizona Corporation Commission, Phoenix, Ariz., before Joint Board No. 47, or, if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

No. MC 119340, filed December 3, 1959. Applicant: **HORACE SHARP**, 210 East Jackson, Phoenix, Ariz. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise*, as is dealt in by wholesale, retail and chain grocery houses, including articles generally sold in grocery stores and grocery store supplies, between points in California on the one hand, and on the other, points in Arizona.

**NOTE:** Applicant indicates *exempt commodities* will be transported on return.

**HEARING:** February 12, 1960, at the Arizona Corporation Commission, Phoenix, Ariz., before Joint Board No. 47, or if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

#### MOTOR CARRIERS OF PASSENGERS

No. MC 140 (Sub No. 2), filed July 16, 1959. Applicant: **AUCH INTERBOROUGH TRANSIT COMPANY**, 1516 Butler Pike, Conckocke, Pa. Applicant's attorneys: Raspin, Espenshade, Heins, Erskine & Stewart, 1606 Lincoln Liberty Building, Philadelphia 7, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in special operations, in round trip sightseeing or pleasure tours, beginning and ending at Philadelphia, Pa., and points in Montgomery and Delaware Counties, Pa., and extending to points in Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, West Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Tennessee, Kentucky, Ohio, Illinois, Indiana, Michigan, Wisconsin, and Missouri. Applicant is authorized to conduct operations in Delaware, the District of Columbia, Maryland, Massachusetts, New Jersey, New York, Ohio, Pennsylvania, Vermont, and Virginia.

**HEARING:** February 15, 1960, at the Penn Sherwood Hotel, 3900 Chestnut Street, Philadelphia, Pa., before Examiner Dallas B. Russell.

No. MC 1934 (Sub No. 2), filed October 5, 1959, (REPUBLICATION), published **FEDERAL REGISTER**, issue of December 23, 1959. Applicant: **THE ARROW LINE, INC.**, 70 Florence Street, East Hartford, Conn. Applicant's attorney: Thomas W. Murrett, 410 Asylum Street, Hartford, Conn. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, in special round trip operations,

(1) between New Haven and New London, Conn., and Narragansett Park, Pawtucket, R.I., from New Haven easterly over the Connecticut Turnpike to the junction of Connecticut Highway 85 and the Connecticut Turnpike in the Town of Waterford, Conn., thence over Connecticut Highway 85 to New London, Conn., thence return over Connecticut Highway 85 to the junction of the Connecticut Turnpike and Connecticut Highway 85, thence over the Connecticut Turnpike to the terminus of the Connecticut Turnpike and the junction of U.S. Highway 6 near South Killingly, Conn., thence easterly over U.S. Highway 6 to Providence, R.I., thence over city streets to Narragansett Park, Pawtucket, R.I., and return over the same route, serving no intermediate points; (2) between New Haven and New London, Conn., and Lincoln Downs Race Track, Lincoln, R.I., from New Haven easterly over the Connecticut Turnpike to the junction of Connecticut Highway 85 and the Connecticut Turnpike in the Town of Waterford, Conn., thence over Connecticut Highway 85 to New London, Conn., thence return over Connecticut Highway 85 to the junction of the Connecticut Turnpike and Connecticut Highway 85, thence over the Connecticut Turnpike to the terminus of the Connecticut Turnpike and the junction of U.S. Highway 6 near South Killingly, Conn., thence easterly over U.S. Highway 6 to the junction of Rhode Island Highway 116 to the junction of Rhode Island Highway 116 and U.S. Highway 44 at Greenville, R.I., thence easterly over U.S. Highway 44 at Providence, R.I., thence over city streets to Rhode Island Highway 146, thence northerly over Rhode Island Highway 146 to Lincoln Downs, Lincoln, R.I., and return over the same route, serving no intermediate points. Applicant is authorized to conduct operations in Connecticut, Massachusetts, and New York.

**NOTE:** The purpose of this republication is to show New London, Conn., as a pick up and discharge point.

**HEARING:** Remains as assigned February 2, 1960, at U.S. Court Rooms, Hartford, Conn., before Joint Board No. 252, or, if the Joint Board waives its right to participate, before Examiner Garland E. Taylor.

No. MC 2866 (Sub No. 13), filed September 9, 1959. Applicant: **EDWARDS MOTOR TRANSIT COMPANY**, a corporation, 56 East Third Street, Williamsport, Pa. Applicant's attorney: Robert H. Griswold, Commerce Building, P.O. Box 432, Harrisburg, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express, mail and newspapers* in the same vehicle with passengers, between junction Pennsylvania Highways 45 and 145 at or near Lehigh Gap, Pa., and Philadelphia, Pa.: from junction Pennsylvania Highways 45 and 145 at or near Lehigh Gap, over Pennsylvania Highway 145 to Allentown, Pa., thence over U.S. Highway 309 to Quakertown, Pa. thence over Pennsylvania Highway 313 to junction U.S. Highway 611 north of Doylestown, Pa., and thence over U.S. Highway 611 to Philadelphia, and re-

turn over the same route, serving all intermediate points. Applicant is authorized to conduct operations in Ohio, New York, and Pennsylvania.

**HEARING:** February 8, 1960, at the Pennsylvania Public Utility Commission, Harrisburg, Pa., before Joint Board No. 65, or, if the Joint Board waives its right to participate, before Examiner Dallas B. Russell.

No. MC 3647 (Sub No. 266), filed July 16, 1959. Applicant: PUBLIC SERVICE COORDINATED TRANSPORT, 180 Boyden Avenue, Maplewood, N.J. Applicant's attorney: Richard Fryling, 180 Boyden Avenue, Maplewood, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in special operations, in round trip sightseeing or pleasure tours, beginning and ending at Philadelphia, Pa., and extending to points in Maine, Vermont, New Hampshire, Massachusetts, Connecticut, Rhode Island, West Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Mississippi, Louisiana, Tennessee, Kentucky, Ohio, Illinois, Indiana and Michigan. Applicant is authorized to conduct operations in New Jersey, New York, Pennsylvania, Virginia, and the District of Columbia.

**HEARING:** February 15, 1960, at the Penn Sherwood Hotel, 3900 Chestnut Street, Philadelphia, Pa., before Examiner Dallas B. Russell.

No. MC 28457 (Sub No. 5), filed November 24, 1959. Applicant: DELAWARE VALLEY TRANSPORTATION CO., a corporation, 213 North Ninth Street, Stroudsburg, Pa. Applicant's attorney: David E. Thomas, 1606-14 Philadelphia National Bank Building, Broad and Chestnut Streets, Philadelphia 7, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, and *mail, express and newspapers* in the same vehicle with passengers, (1) Between Philadelphia, Pa., and East Stroudsburg, Pa., from Philadelphia over Schuylkill Expressway to Valley Forge Interchange of Pennsylvania Turnpike, thence over Pennsylvania Turnpike to Lehigh Valley exit, thence over U.S. Highway 22 to Allentown, Pa., thence return over U.S. Highway 22 to Pennsylvania Turnpike, thence over Pennsylvania Turnpike to the Mahoning exit, thence over U.S. Highway 209 to Stroudsburg, Pa., thence continue over U.S. Highway 209 to East Stroudsburg, and return over the same route, serving all intermediate points, including Allentown, Pa. (2) Between Matamoras, Pa., and Ellenville, N.Y., from Matamoras over U.S. Highway 209 to Port Jervis, N.Y., thence over New York Highway 97 to junction New York Highway 42, thence over New York Highway 42 to junction unnumbered highway, thence over unnumbered highway to Lake Sackett, N.Y., thence return over unnumbered highway to junction New York Highway 42, thence over New York Highway 42 to Woodbourne, N.Y., thence over New York Highway 52 to Ellenville, and return over the same route, serving

all intermediate points. (3) Between Monticello, N.Y., and Liberty, N.Y., (a) from Monticello over New York Highway 17 to Liberty, and return over the same route, serving all intermediate points, (b) from Monticello over New York Highway 17-B to junction New York Highway 55, thence over New York Highway 55 to Liberty, and return over the same route, serving all intermediate points, and (c) from Monticello over New York Highway 42 to Woodbourne, N.Y., thence over New York Highway 52 to Liberty, and return over the same route, serving all intermediate points. Applicant is authorized to conduct regular route operations in Pennsylvania, and irregular route charter operations in Delaware, Maryland, New Jersey, New York, Pennsylvania, Virginia, and the District of Columbia.

**NOTE:** Applicant holds authority, among other points, between East Stroudsburg and Matamoras, Pa., over U.S. Highway 209, serving all intermediate points, in Certificate No. MC 28457. In Certificate No. MC 28457 (Sub No. 1) applicant is authorized to operate between East Stroudsburg and Stroudsburg, Pa., over U.S. Highway 209, serving no intermediate points. Duplication with present authority should be eliminated.

**HEARING:** February 11, 1960, at the Penn Sherwood Hotel, 3900 Chestnut Street, Philadelphia, Pa., before Examiner Dallas B. Russell.

No. MC 94774 (Sub No. 2), filed November 24, 1959. Applicant: BROWN'S BUS SERVICE, INC., doing business as PENN JERSEY COACHWAYS, 35 Cornell Avenue, Gloucester City, N.J. Applicant's attorney: Walter S. Anderson, Wilson Building, Broadway at Cooper Street, Camden 2, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over a regular route, transporting: *Passengers and their baggage*, in the same vehicle with passengers, between Chester, Pa., and Camden, N.J., from Chester over city streets to junction U.S. Highway 13, thence over U.S. Highway 13 throughout Eddystone, Crum Lynne, Ridley Park and Prospect Park, Pa., to junction Pennsylvania Highway 420, thence over Pennsylvania Highway 420 to Essington, Pa., thence over Pennsylvania Highway 291 through Lester and Philadelphia (Eastwick section), Pa., to Walt Whitman Bridge, thence over Walt Whitman Bridge across the Delaware River to Camden (the site of New York Shipbuilding Corporation plant), and return over the same route, serving all intermediate points. Applicant is authorized to conduct operations in Maryland, New Jersey, Pennsylvania, and the District of Columbia.

**HEARING:** February 10, 1960, at the Penn Sherwood Hotel, 3900 Chestnut Street, Philadelphia, Pa., before Joint Board No. 67, or, if the Joint Board waives its right to participate, before Examiner Dallas B. Russell.

No. MC 119323, filed November 24, 1959. Applicant: L. C. BALL, R.D. No. 2, Lewisburg, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in special and charter operations, consisting of round-trip sightseeing or pleasure tours, beginning and ending at Vicks-

burg, Union County, Pa., and extending to points in the United States, including Alaska.

**NOTE:** Applicant requests the right to pick up passengers and their baggage at any point along the route of tour, providing he can prove it is definitely a direct service and convenience to the public.

**HEARING:** February 9, 1960, at the Pennsylvania Public Utility Commission, Harrisburg, Pa., before Examiner Dallas B. Russell.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING IS REQUESTED

#### MOTOR CARRIERS OF PROPERTY

No. MC 42487 (Sub No. 438), (CORRECTION), filed December 10, 1959, published FEDERAL REGISTER, issue of December 23, 1959. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. Applicant's attorney: Adolph J. Bieberstein, 121 West Doty Street, Madison 3, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aviation gasoline*, in bulk, in tank vehicles, from the site of Standard Oil Company of Indiana Refinery at Whiting, Ind., to Standard Oil Co., of Indiana Bulk Plant at Sayner, Wis. Applicant is authorized to conduct operations in Arizona, California, Colorado, Idaho, Illinois, Indiana, Iowa, Michigan, Minnesota, Montana, Nebraska, Nevada, New Mexico, Utah, North Dakota, Oregon, South Dakota, Washington, Wisconsin, and Wyoming.

**NOTE:** The purpose of this republication is to show applicant's correct address.

No. MC 66562 (Sub No. 1605), filed December 23, 1959. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York 17, N. Y. Authority sought to operate as a *common carrier*, by motor vehicle, over a regular route, transporting: *General commodities, including Classes A and B explosives*, moving in express service, between Chippewa Falls, Wis., and Spooner, Wis., from Chippewa Falls over U. S. Highway 53 to Spooner, and return over the same route, serving the intermediate points of Bloomer, New Auburn, Chetek, Rice Lake, Haugen and Sarona, Wis. The application indicates the service to be performed by applicant will be limited to such as is auxiliary to or supplemental of rail or air express service; and that shipments to be transported will be limited to those moving under Railway Express Agency tariffs on a Railway Express Agency receipt or "waybill", covering in addition to motor carrier movement, an immediately prior or an immediately subsequent movement by rail or air. Applicant is authorized to conduct operations throughout the United States.

No. MC 66562 (Sub No. 1606), filed December 23, 1959. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York 17, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over a regular route, transporting: *General commodities, including Classes A and B explosives*, moving in express

service, between Chippewa Falls, Wis., and Menomonie, Wis., from Chippewa Falls over Wisconsin Highway 29 to junction U.S. Highway 12, thence over U.S. Highway 12 to Menomonie, and return over the same route, serving no intermediate points. The application indicates the service to be performed by applicant will be limited to such as is auxiliary to or supplemental of rail or air express service; and that shipments to be transported will be limited to those moving under Railway Express Agency tariffs on a Railway Express Agency receipt or "waybill" covering in addition to motor carrier movement, an immediately prior or an immediately subsequent movement by rail or air. Applicant is authorized to conduct operations throughout the United States.

No. MC 86687 (Sub No. 52), filed December 17, 1959. Applicant: SEABOARD AIR LINE RAILROAD COMPANY, a corporation, Seaboard Air Line Railroad Building, 3600 West Broad Street, Richmond, Va. Applicant's attorney: T. Randolph Buck, Seaboard Air Line Railroad Building, 3600 West Broad Street, Richmond, Va. Authority sought to operate as a *common carrier*, by motor vehicle, over *regular routes*, transporting: *General commodities*, moving as passenger baggage or in railway express or baggage car service, between Wilmington, N.C., and Charlotte, N.C., from Wilmington, N.C., over U.S. Highway 74 to Bolton, N.C.; thence over North Carolina Highway 211 to Lumberton, N.C.; thence over U.S. Highway 74 to Charlotte, N.C., and return over the same route serving all intermediate points which are stations on applicant's rail line. Applicant is authorized to conduct operations in Alabama, Georgia, North Carolina, South Carolina, and Virginia.

NOTE: Applicant states since the commodities to be transported under this authority are those which formerly moved as passenger baggage or in railway express or in baggage car service, the imposition of the usual rail restrictions would not affect this service and the Seaboard has no objection to the imposition of those conditions. We are only seeking to transport "general commodities, moving as passenger baggage or in railway express or baggage car service," virtually all of which would be express shipments.

No. MC 115524 (Sub No. 3), filed December 11, 1959. Applicant: WILLIAM P. BURSCH, doing business as BURSCH TRUCKING, 4130 Edith Boulevard NE., Albuquerque, N. Mex. Authority sought to operate as a *contract carrier*, by motor vehicle, over *irregular routes*, transporting: *Lumber*, between Albuquerque, N. Mex., on the one hand, and points in Missouri, on the other. Applicant is authorized to conduct operations in Arizona, Kansas, New Mexico, Oklahoma, Texas, and Utah.

NOTE: Applicant has pending application in MC 118940 for common carrier authority; therefore, dual operations under section 210 may be involved.

No. MC 119114 (Sub No. 1), filed December 15, 1959. Applicant: HASKELL F. YOUNG, 1421 Chandler Drive, Charleston, W. Va. Authority sought to operate as a *contract carrier*, by motor

vehicle, over *irregular routes*, transporting: *Pies, pastries, baked goods*, from South Charleston, W. Va., to Zanesville, Marietta, Middleport, Akron, Dayton, Ohio; Cumberland, Md.; and Uniontown, Pa., and *empty containers or other such incidental facilities*, used in transporting the above-described commodities, on return.

No. MC 119379, filed December 22, 1959. Applicant: WALT'S TRUCK STOP & PORT OIL, INC., doing business as WALT'S TRUCKING, 1846-92 Fourth Avenue, Newport, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over *irregular routes*, transporting: *Green hides*, (1) from points in Minnesota, Wisconsin, Iowa, Missouri, North Dakota, and South Dakota, to Chicago, Ill. (2) From Chicago, Ill., to New York, N.Y.

#### MOTOR CARRIERS OF PASSENGERS

No. MC 1501 (Sub No. 177), filed December 21, 1959. Applicant: THE GREYHOUND CORPORATION, 140 South Dearborn Street, Chicago 3, Ill. Applicant's attorney: Earl A. Bagby, Western Greyhound Lines (Division of the Greyhound Corporation), Market and Fremont Streets, San Francisco 5, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over *regular routes*, transporting: *Passengers and their baggage*, in special operations, as follows: (1) Extend special operations Route 228 as shown on Sheet 42, as follows: between Redondo Beach and Harbor Freeway Junction, Calif.: from Redondo Beach over Alternate U.S. Highway 101 to junction unnumbered highway (South Redondo Beach), thence over unnumbered highway via Marineland to San Pedro, and thence over U.S. Highway 6 to junction U.S. Highway 101 (Harbor Freeway Junction), and return over the same route, serving all intermediate points; (2) delete Route 224 as shown on First Revised Sheet 42: abandon present regular route 224 extending between San Pedro Junction and San Pedro and insert in lieu thereof "224. Intentionally left blank."; (3) establish a new special operations Route No. 216, to be shown on Sheet 41, as follows: between Hollywood Freeway Junction and East Inglewood Junction: from junction U.S. Highway 101 and Highland Ave. (Hollywood Freeway Junction) over unnumbered highway via Inglewood, to junction U.S. Highway 6 (East Inglewood Junction), and return over the same route, serving all intermediate points; (4) revise and extend special operations Route 233-A, shown on Original Sheet 43A, as follows: (a) 233-A, between Knott's Berry Farm Junction and Stanton Junction, Calif.: from junction U.S. Highway 101 and California Highway 39 (Knott's Berry Farm Junction), over California Highway 39 via Knott's Berry Farm, to junction California Highway 22 (Stanton Junction), and return over the same route, serving all intermediate points, and (b) 233-B, between Knott's Berry Farm and La Palma Ave. Junction, Calif.: from Knott's Berry Farm over La Palma Ave., to junction U.S. Highway 101 (La Palma Ave. Junction), and return over the same

route, serving all intermediate points; and (5) extend special operations Route 233-B, shown on Original Sheet 43A: between Disneyland Junction and Garder Grove, Calif.: from junction U.S. Highway 101 and Harbor Boulevard (Disneyland Junction), over Harbor Boulevard via Disneyland, to junction California Highway 22, and thence over California Highway 22 to Garder Grove, and return over the same route, serving all intermediate points. Applicant is authorized to conduct operations throughout the United States.

NOTE: Applicant states the changes in operating authority hereinabove set forth, and as more fully explained in the application, are proposed to be incorporated in revisions of Sheets 41, 42 and 43A of Certificate MC 1501 (Sub No. 138).

#### PETITION

No. MC 11207 (Sub No. 47) (PETITION FOR A DECLARATORY ORDER, OR IN THE ALTERNATIVE, FOR AN INTERPRETATION OF ITS OPERATING AUTHORITY). Petitioner: DEATON TRUCK LINE, INC., Birmingham, Ala. Petitioner's attorneys: A. Alvis Layne and Morton A. Brody, Pennsylvania Building, Washington, D.C. By petition dated October 29, 1959, petitioner requests that the Commission find that its authority contained in Certificate No. MC-11207 (Sub No. 47), authorizing operations in interstate or foreign commerce, as a *common carrier*, by motor vehicle, of certain commodities, including "machinery" includes the right to transport *farm machinery, including farm tractors*. Any person or persons desiring to participate in this proceeding may make representations for or against the relief sought within 30 days from the date of this publication in the FEDERAL REGISTER.

#### APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carrier of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto (49 CFR 1.240).

#### MOTOR CARRIERS OF PROPERTY

No. MC-F 7382 (correction) (LINDLEY TRUCKING SERVICE, INC.—PURCHASE—BOYD H. KOLB), published in the December 9, 1959, issue of the FEDERAL REGISTER on page 9970. The name of ALICE HUNSINGER, shown as one of vendee's controlling stockholders, should be eliminated. The name of ROBERT R. RYDELL, 3000 East Ovid Avenue, Des Moines 17, Iowa, should be added as applicants' attorney.

No. MC-F 7387 (C & R TRANSPORT CO., INC.—PURCHASE—LUTHER M. ANDERSON), published in the December 9, 1959, issue of the FEDERAL REGISTER on page 9971. Supplement filed December 24, 1959, to show joinder of RAY ROLLEN, THOMAS ROLLEN and D. R. ZACHRY, JR., all of P.O. Box 127, Winnsboro, Tex., as the persons controlling vendee.

No. MC-F 7397. (CORRECTION) RYDER TRUCK LINES, INC.—CONTROL AND MERGER—RYDER TRUCK LINES OF LOUISIANA, INC., published in the December 23, 1959, issue of the FEDERAL REGISTER on page 10480. Should have read Control and Merger in lieu of merger.

No. MC-F 7404. Authority sought for purchase by BENJAMIN H. HERR, doing business as HERR'S MOTOR EXPRESS, 36 West State Street, P.O. Box 8, Quarryville, Pa., of the operating rights and certain property of CHARLES T. LANDON, 2001 College Avenue, Elmira, N.Y. Applicants' representative: Bernard N. Gingerich, Quarryville, Pa. Operating rights sought to be transferred: *Such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses, and, in connection therewith, equipment, materials, and supplies used in the conduct of such business, under special and individual contracts or agreements with persons, as defined in section 203(a) of the Interstate Commerce Act, who operate retail stores, the business of which is the sale of food, as a contract carrier over irregular routes, between certain points in New York and Pennsylvania; fruits, vegetables, farm products, poultry, and sea food in the respective seasons of their production, under special and individual contracts or agreements as described above, from points in New York and Pennsylvania to certain points in New York and Pennsylvania; carbonated beverages, from Williamsport, Pa., to Elmira, N.Y., and from Elmira, N.Y., to Towanda, Pa.; glass bottles, between Elmira, N.Y., on the one hand, and, on the other, points in Pennsylvania and New Jersey, between Elmira, N.Y., on the one hand, and, on the other, points in Delaware, and between Elmira and Lockport, N.Y., on the one hand, and, on the other, points in Ohio.* Vendee is authorized to operate as a *common carrier* in Delaware, Maryland, Pennsylvania, Virginia, New Jersey, Maine, New Hampshire, Vermont, New York and the District of Columbia, and as a *contract carrier* in the above states plus West Virginia, Ohio, Rhode Island, Connecticut, and Massachusetts. An application has been filed for conversion of vendee's *contract carrier* rights to those of a *common carrier*. Application has been filed for temporary authority under section 210a(b).

No. MC-F 7405. Authority sought for purchase by LEONARD BROS. TRANSFER & STORAGE CO., INC., 2595 Northwest 20th Street, Miami 52, Fla., of a portion of the operating rights of DADE TRUCKING, INC., 414 Union Avenue, Westbury, N.Y., and for acquisition by T. A. LEONARD, JR., BETTY L. OZBURN and LEILA H. LEONARD, all of 2595 Northwest 20th Street, Miami, Fla., and REVA S. SAWYER, 1411 South Orange Blossom Trail, Orlando, Fla., of control of such rights through the purchase. Applicants' attorney and representative, respectively: William O. Turney, 2001 Massachusetts Avenue, NW., Washington 6, D.C., and J. Fred Dewhurst, Vice President for Traffic, Leonard Bros. Transfer & Storage Co.,

Inc., 2595 Northwest 20th Street, Miami 52, Fla. Operating rights sought to be transferred: *Damaged airplanes and airplane parts, as a common carrier over irregular routes, between points in New York, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, Ohio, Michigan, and the District of Columbia; airplanes and airplane equipment, between Bendix, N.J., on the one hand, and, on the other, Stamford and Bridgeport, Conn., Wilmington, Del., Philadelphia and Hawley, Pa., points in Massachusetts east of the Cape Cod Canal, and certain points in New York.* Vendee is authorized to operate as a *common carrier* in Florida, Alabama, Delaware, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maryland, Mississippi, Wisconsin, Vermont, Rhode Island, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, California, West Virginia, Texas, Connecticut, Maine, Massachusetts, Michigan, Missouri, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

No. MC-F-7406. Authority sought for purchase by BABCOCK & LEE PETROLEUM TRANSPORTERS, INC., 1002 Third Avenue North, Billings, Mont., of the operating rights and property of E. L. JONES, INC., 405 North 17th Street, Billings, Mont. Applicants' attorney: James F. Battin, 200 Kook Building, Billings, Mont. Operating rights sought to be transferred: *Crude oil, crude oil in bulk, in tank vehicles, petroleum and petroleum products and road oil, as a contract carrier over irregular routes, from points in Wyoming to points in Montana, and from points in Montana to points in Wyoming.* Vendee is authorized to operate as a *common carrier* in Montana, North Dakota, South Dakota, and Wyoming. Application has not been filed for temporary authority under section 210a(b). A proceeding under section 212(c), No. MC-52934 (Sub-24), has been instituted which may result in the conversion of vendor from a contract to a common carrier.

By the Commission.

[SEAL]

HAROLD D. MCCOY,  
Secretary.

[F.R. Doc. 60-67; Filed, Jan. 5, 1960;  
8:49 a.m.]

## SMALL BUSINESS ADMINISTRATION

[Delegation of Authority No. 30-IV-20  
(Revision 2)]

### BRANCH MANAGER, COLUMBIA, SOUTH CAROLINA

#### Delegation Relating to Financial Assistance and Administrative Functions

I. Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30 (Revision 5) (24 F.R.

7713), there is hereby delegated to the Manager of the Columbia, South Carolina, Branch Office the following authority:

A. *Financial assistance.* 1. To approve but not decline disaster loans in an amount not exceeding \$20,000.

2. To execute loan authorizations for Washington and Regional Office approved loans and for disaster loans approved under delegated authority, said execution to read as follows:

(Name), Administrator.

By \_\_\_\_\_  
(Name)  
Manager, Columbia Branch Office.

3. To approve, after disbursement or partial disbursement, the salary of any employees, not to exceed \$10,000 per annum.

4. To do and to perform all and every act and thing requisite, necessary and proper to be done for the purpose of effecting the servicing and administration of any disaster loan including, without limiting the generality of the foregoing, all powers, terms, conditions and provisions as authorized herein for other loans, said powers, terms, conditions and provisions shall apply to all documents, agreements or other instruments heretofore or hereafter executed in connection with any loan included in the above functions where such documents, agreements or other instruments are now, or shall be hereafter, in the name of the Reconstruction Finance Corporation or the Small Business Administration.

5. To take the following actions in the administration and collection of business or disaster loans:

a. Approve or reject substitutions of accounts receivable and inventories.

b. Release, or consent to the release of inventories, accounts receivable or cash collateral, real or personal property, offered as collateral on loan, including the release of all collateral when loan is paid in full.

c. Release dividends on life insurance policies held as collateral for loans; approve the application of same against premium due; release or consent to the release on participation loans, of insurance funds covering loss or damage to property securing the loan and expired hazard insurance policies.

d. Approve the sale of real or personal property and the exchange of equipment held as collateral on loans.

e. Defer until final maturity date payments on principal falling due prior to or within thirty days after initial disbursement and provide for the coincidence of principal and interest payments.

f. Designate proxies to vote at stockholders' meetings on stock held as collateral, and determine how such shares are to be voted.

g. Reinstate terms of payment provided in the borrower's note upon cancellation of authority to foreclose, termination of litigation, or correction of any other situation which caused the loan to be classified as a problem loan.

h. Effect the purchase of the Administration's agreed portion of a participation loan upon the request of the participating institution, consent to the sale

to another institution of the SBA portion of a participation loan, and to cancel any deferred participation agreement upon request of the institution.

6. To take the following actions in the administration of fisheries' loans:

a. Amend the hull insurance provision of any authorization issued prior to January 31, 1958, for a loan of \$10,000 or less.

b. Administer fisheries' loans with the same authority exercised with respect to SBA loans.

7. To take the following actions in all loans except those loans classified as "problem loans" or "in liquidation":

a. Extend to the maturity of a loan or to a date prior to the maturity, one monthly principal payment in any calendar year, and not more than a total of four such payments during the term of the loan, or one quarterly principal installment payment during the term of the loan, for loans with principal balances not exceeding \$100,000.

b. Carry loans which are delinquent or past-due not more than three months in such status for an additional period of not more than six months when the principal balances of such loans do not exceed \$100,000.

c. Extend the maturity of loans (within the statutory limitations) when the principal balances of such loans do not exceed \$100,000.

d. Approve or decline requests for changes in the repayment terms of notes for loans with principal balances not exceeding \$100,000.

e. Waive amounts due under net earnings clause.

f. Approve requests to exceed fixed assets limitations and waive violations of this limitation.

g. Approve payment of cash or stock dividends, payment of bonuses, increases in salaries, employment of new personnel, and waivers of violation of salary and bonus limitations, provided the Regional Director considers the bonuses and/or salary to be paid reasonable and that consent will not be given to any such payment if the payment will impair the borrower's cash position and if the loan is not current in all respects at the time the payment is made.

h. Waive violations of agreements to maintain working capital of a specified amount.

8. To extend, or consent to the extension of, the maturity date or time of payment, to change, or consent to the change of, the rate of interest, and otherwise alter or modify, or consent to the alteration or modification of any note, bond, mortgage or other evidence of in-

debtedness, and any contract for the sale or lease of real or personal property.

B. *Administrative.* 1. To administer oaths of office.

2. To approve annual and sick leave for employees under his supervision.

3. To administratively approve all types of vouchers, invoices, and bills submitted by public creditors of the Agency for articles or services rendered.

C. *Correspondence.* To sign all non-policy making correspondence, including Congressional correspondence, relating to the functions of the Branch Office.

II. The authority delegated herein may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Manager of the Columbia, South Carolina, Branch Office.

IV. All previous authority delegated by the Regional Director to the Branch Manager, Columbia, South Carolina, is hereby rescinded without prejudice to actions taken under all other delegations of authority prior to the date hereof.

Effective date: December 11, 1959.

CLARENCE P. MOORE,  
Regional Director, Small Business Administration, Region IV.

[F.R. Doc. 60-60; Filed, Jan. 5, 1960; 8:48 a.m.]

## TARIFF COMMISSION

### SAFETY PINS

#### Tariff Commission Reports to the President

DECEMBER 31, 1959.

The U.S. Tariff Commission today submitted to the President its first periodic report on the developments in the trade in safety pins since the "escape clause" action on December 30, 1957, modifying the concession thereon granted in the General Agreement on Tariffs and Trade. This report was made pursuant to paragraph 1 of Executive Order 10401 of October 14, 1952. That order prescribes procedures for the periodic review of escape-clause actions. Such review is limited to the determination of whether a concession that has been modified or withdrawn can be restored in whole or in part without causing or threatening serious injury to the domestic industry concerned.

In submitting its first report to the President under Executive Order 10401 with respect to safety pins, the Commission advised the President that condi-

tions of competition between imported and domestic safety pins had not so changed as to warrant the institution of a formal investigation under the provisions of paragraph 2 of Executive Order 10401. This means that, in the Commission's view, the developments in the trade in safety pins do not warrant a formal inquiry into the question of whether a reduction in the duty on safety pins could be made without causing or threatening serious injury to the domestic industry.

Copies of the Commission's report are available upon request as long as the limited supply lasts. Requests should be addressed to the U.S. Tariff Commission, Eighth and E Streets NW., Washington 25, D.C.

By the Commission.

[SEAL]

DONN N. BENT,  
Secretary.

[F.R. Doc. 60-61; Filed, Jan. 5, 1960; 8:48 a.m.]

## DEPARTMENT OF JUSTICE

### Office of Alien Property

#### SIMON LOEB ET AL.

#### Notice of Intention To Return Vested Property

Pursuant to section 32(f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

#### Claimant, Claim No., Property, and Location

Simon Loeb, Quito, Ecuador, \$38.27 in the Treasury of the United States.

Hermine Isaac, Kansas City, Missouri, \$38.27 in the Treasury of the United States.

Jenny Aron, Sarreguemines (Moselle), France, \$38.28 in the Treasury of the United States.

Helene Loeb, Strasbourg, France, \$38.28 in the Treasury of the United States.

Vesting Order No. 17914; Claim No. 61741.

Executed at Washington, D.C., on December 30, 1959.

For the Attorney General.

[SEAL]

PAUL V. MYRON,  
Deputy Director,  
Office of Alien Property.

[F.R. Doc. 60-64; Filed, Jan. 5, 1960; 8:48 a.m.]

## CUMULATIVE CODIFICATION GUIDE—JANUARY

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